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MEETING OF THE ASSEMBLY

The Assembly met at 9.30 am, pursuant to adjournment. The Speaker (Honourable A McGrady) read prayers.

STATEMENT BY SPEAKER – MATTER RAISED BY THE LEADER OF THE OPPOSITION

Mr Speaker made the following statement——

Honourable Members—

On 19 October 2005 the Leader of the Opposition wrote to me alleging that the Premier deliberately misled the House during Questions without Notice on 8 June 2005. In particular the Leader of the Opposition alleges that the Premier said that a travel report tabled by former Speaker Turner comprised two paragraphs, when the report was in fact nine pages in length.

I have studied Hansard and a copy of the Report on Overseas Trip to Attend the Forty-Sixth Parliamentary Seminar at Westminster tabled by Speaker Turner on 29 April 1997 and again tabled by the Premier on 7 June 2005.

It was technically incorrect of the Premier to state that the report comprised two paragraphs; the report was seven paragraphs.

However, I find that there is no basis to demonstrate a prima facie contempt of deliberately misleading the House. It must be remembered that the Premier himself had tabled the report for the information of the House the previous day.

I intend to take no further action in respect of the matter and consider the matter to be trivial.'

PETITIONS

The following paper petitions, lodged with the Clerk by the Members indicated, were received——

Ms Lee Long from 2943 petitioners, requesting the House to appoint an independent investigator and investigation team from outside the State of Queensland to fully investigate all the known facts surrounding the deaths of Vicki Arnold and Julie-Anne Leahy and new evidence recently released and to prepare a full and comprehensive report to be placed before the Chief Coroner of Queensland for his investigation, assessment and compilation of a report to be placed before this House.

Ms Lee Long from 120 petitioners, requesting the House to ensure driver testing services are restored to the level of service Malanda and district was receiving, that is one-day-a-fortnight testing by a Department of Transport testing officer, operating in Malanda.

Ms Lee Long from 295 petitioners, requesting the House to ensure driver testing services are restored to Queenslanders in places such as Dimbulah to ensure residents are readily able to be tested and to acquire their driving licences as readily as possible.

Mrs E Cunningham from 2664 petitioners, requesting the House to remove the Civic Theatre from Heritage listing in order that the dilapidated, uninsurable and unsafe building can be demolished and enable Mr and Mrs Upton to enjoy their retirement.

MINISTERIAL PAPERS TABLED BY THE CLERK

The following ministerial papers were tabled by The Clerk——

Minister for Education and the Arts (Mr Welford)—

Response from the Minister for Education and the Arts (Mr Welford) to a paper petition presented by Mr Briskey from 669 petitioners requesting the House to replace the external roof of the Birkdale State School at the same time as the planned replacement of the internal roof which would decrease the chance of any asbestos powder coming down onto the students of Grades 1 and 2

Minister for Justice and Attorney-General (Mrs Lavarch)—

Electoral Commission Queensland – Annual Report 2004-05
MINISTERIAL STATEMENTS (Hansard p. 3499, 9.34 am)

(a) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the future of the public health system in Queensland.

(b) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to Standard and Poors.


(c) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to Commonwealth Government health funding under the current Health Care Agreement.

(d) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the new operating theatre complex at the Wesley Hospital.

(e) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Major Facilities Funding Program.

(f) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to housing in Aceh following the Boxing Day tsunami.

(g) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Building Active Communities Conference to be held in Brisbane.

(h) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Community Cabinet in Brisbane North on 30 October 2005.

(i) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Windsor State School's 140th Anniversary celebrations.

(j) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the death of Mr William Allen.

(k) Deputy Premier and Minister for Finance, Minister for State Development, Trade and Innovation (Ms Bligh) made a ministerial statement relating to the export of Queensland bloodstock and racehorses to Korea.

(l) Minister for Police and Corrective Services (Ms Spence) made a ministerial statement relating to the crackdown on violence in Brisbane’s entertainment precincts and the speed processing system.

(m) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to major capital work projects.

(n) Minister for Health (Mr Robertson) made a ministerial statement relating to funding for mental health services.

(o) Minister for Justice and Attorney–General (Mrs Lavarch) made a ministerial statement relating to the Government’s rejection of a claim by Ms Pauline Hanson for an ex–gratia payment.

(p) Minister for Emergency Services (Mr Purcell) made a ministerial statement relating to the attendance of Queensland Ambulance Service paramedics at special events.

(q) Minister for Transport and Main Roads (Mr Lucas) made a ministerial statement relating to the Taxi Security Camera Program and the installation of security cameras in taxis.

(r) Minister for Employment, Training and Industrial Relations (Mr Barton) made a ministerial statement relating to TAFE Queensland and the User Choice Demand Service telephone hotline.

(s) Minister for Education and Minister for the Arts (Mr Welford) made a ministerial statement relating to new Townsville learning centres.

(t) Minister for Child Safety (Mr Reynolds) made a ministerial statement relating to the Cherbourg Hostel.
NOTICE OF MOTION – QUEENSLAND PUBLIC HOSPITALS
Mr Quinn gave notice that he will move – That this House supports the retention of a free public hospital system for all Queenslanders and calls on the Government to abandon its proposal to charge patients a co-payment and means-test them when they seek treatment.

PRIVATE MEMBERS’ STATEMENTS (Hansard p. 3510, 10.15 am)
Private Members’ statements were made.

QUESTIONS WITHOUT NOTICE (Hansard p. 3513, 10.30 am)
Questions without notice were asked.

Papers: Premier and Treasurer (Mr Beattie) tabled the following papers—
   Ministerial Media Statement, dated 19 October 2005, by Mr Beattie titled *Queenslanders To Receive Better Health Services*
   Ministerial Media Statement, dated 20 October 2005, by Mr Beattie titled *Queensland Leads The Way With Solutions To Health Problems*

Questions continued.

Papers: Mrs Menkens tabled the following papers—
   500 letters (various dates) from Burdekin District cane growers to the Acting Minister for Primary Industry and Fisheries (Mr Cummins) relating to current sugar market arrangements

Questions continued.
Questions concluded.

MINISTERIAL STATEMENT (Hansard p. 3524, 11.30 am)
Premier and Treasurer (Mr Beattie), by leave, made a ministerial statement relating to an agreement between the Cape York Land Council and Vietnam veterans regarding land at Kalpowar.

PUBLIC HEALTH BILL (Hansard p. 3525, 11.32 am)
Order of the day read for the adjourned debate on the motion of the (then) Minister for Health (Mr Nuttall) – That the Bill be now read a second time.

Debate ensued.

Paper: Mrs E Cunningham, by leave, during her speech, tabled the following paper—
   Letter, dated 24 October 2005, from Mladan Simic to Mrs E Cunningham relating to her son’s treatment at Gladstone Hospital

Debate continued.

Question put and agreed to.

Bill read a second time.

Consideration in detail—

Clauses 1 to 9, as read, agreed to.

Clause 10 (Definitions for ch 20—
   The following amendments were proposed by Dr Flegg—
   At page 24, before line 19—
   insert—
   ‘asbestos public health risk means a risk mentioned in section 11(1)(b)(vi) if the by-product is asbestos.’.
   At page 24, line 22—
   omit, insert—
   ‘or (vi), other than an asbestos public health risk; or’.
   At page 25, lines 5 to 8—
   omit, insert—
   ‘State public health risk means—
   (a) a public health risk—
   (i) mentioned in section 11(1)(b)(vii) or (viii); or

...
(ii) prescribed under section 18 as a public health risk that is to be administered and enforced only by the State; or

(b) an asbestos public health risk.’.

Debate ensued.

Question put – That Dr Flegg’s amendments be agreed to.

The House divided.

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Tellers *

Question negatived.

Clause 10, as read, agreed to.

Clauses 11 to 14, as read, agreed to.

Clause 15 (Action by the State if local government does not administer and enforce this Act)—

The following amendment was proposed by the Minister for Health (Mr Robertson)—

At page 28, line 13, ‘(2)’—

omit, insert—

‘(3)’.

Debate ensued.

Question – That Mr Robertson’s amendment be agreed to – put and agreed to.

Clause 15, as amended, agreed to.

Clause 16 to 60, as read, agreed to.

Clause 61 (Regulations about public health risks)—

The following amendments were proposed by Dr Flegg—

At page 53, line 22—

omit, insert—

‘(c) measures to determine whether asbestos is present at a place, and to prescribe the responsibilities of owners and occupiers to take action to prevent or control asbestos public health risks at a place, including the following—

(i) publication by the chief executive of information for owners and occupiers to help in their understanding of asbestos public health risks and the ways in which asbestos public health risks may be identified, prevented, minimised or controlled;

(ii) requirements for owners and occupiers to disclose information they have about the presence of asbestos at a place to other persons proposing to occupy or carry out work at the place;

(iii) requirements for persons proposing to sell a place to provide a proposed purchaser with a report about the existence of asbestos at the place;

(iv) requirements for owners of a place to enclose, seal or remove asbestos materials at a place in cases where dangerous exposure to those materials can not be effectively prevented, minimised or controlled; and

(d) measures to prevent and control public health risks other than asbestos public health risks.’.

At page 53, lines 27 and 28—

omit, insert—

‘(3) However, a regulation made under subsection (1)(c) must state that it is to be administered and enforced by the State only.
‘(4) A regulation made under this section does not bind the State except to the extent prescribed by the regulation.’.

Debate ensued.

Question – That Dr Flegg’s amendments be agreed to – put and negatived.

Clause 61, as read, agreed to.

Clauses 62 to 154, as read, agreed to.

Clause 155 (What an ICMP must contain)—

The following amendment was proposed by Mr Robertson—

At page 105, line 18, ‘state’—

*omitted.*

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

Explanatory Notes to Mr Robertson’s amendments to the Public Health Bill

Debate ensued.

Question – That Mr Robertson’s amendment be agreed to – put and agreed to.

Clause 155, as amended, agreed to.

Clauses 156 to 248, as read, agreed to.

Clause 249 (Disclosure by contractor)—

The following amendments were proposed by Mr Robertson—

At page 158, line 20, ‘247’—

*omitted, inserted—*

‘248’.

At page 159, after line 2—

*inserted—*

‘(da) is for the purpose of giving information under chapter 6, part 4, division 2 for research, if the chief executive authorises the contractor, in writing, to disclose the information; or’.

Debate ensued.

Question – That Mr Robertson’s amendment be agreed to – put and agreed to.

Clause 249, as amended, agreed to.

Clause 250 (Arrangements about transfer of information)—

The following amendment was proposed by Mr Robertson—

At page 159, line 9, ‘247’—

*omitted, inserted—*

‘248’.

Debate ensued.

Question – That Mr Robertson’s amendment be agreed to – put and agreed to.

Clause 250, as amended, agreed to.

Clauses 251 to 454, as read, agreed to.

Clause 455—

Question – That Clause 455, as read, be agreed to – put and negatived.

Clauses 456 to 461, as read, agreed to.

Clause 462 (Regulation–making power)—

The following amendment was proposed by Mr Robertson—

At page 266, line 30, ‘without limiting subsection (1),’—

*omitted.*

Debate ensued.

Question – That Mr Robertson’s amendment be agreed to – put and agreed to.

Clause 462, as amended, agreed to.

Clause 463—

Question – That Clause 463, as read, be agreed to – put and negatived.

Clauses 464 to 494, as read, agreed to.

Schedule 1 (Consequential Amendments)—

The following amendment was proposed by Mr Robertson—

At page 291, lines 7 and 8—

*omitted, inserted—*

‘health issues, particularly on policy and legislative matters associated with population health, emergency services and mental health.’.

Debate ensued.
Question – That Mr Robertson’s amendment be agreed to – put and agreed to.
Schedule 1, as amended, agreed to.
Schedule 2 (Dictionary)—
The following amendment was proposed by Dr Flegg—
At page 296, after line 23—
insert—
‘asbestos public health risk’, for chapter 2, see section 10.’.
Debate ensued.

Paper: Dr Flegg, during his speech, tabled the following paper—
Explanatory Notes to Dr Flegg’s amendments to the Public Health Bill

Question – That Dr Flegg’s amendment be agreed to – put and negatived.
The following amendment was proposed by Mr Robertson—
At page 300, after line 19—
insert—
‘(c) for chapter 6, part 4, information about a person’s health or the provision of a health
service to a person held or obtained by a contractor for the contractor to keep the
Queensland Cancer Register.’.
Debate ensued.

Question – That Mr Robertson’s amendment be agreed to – put and agreed to.
Schedule 2, as amended, agreed to.

Consideration in detail completed—
Mr Robertson moved – That the Bill, as amended, be now read a third time.
Question put and agreed to.
Mr Robertson moved – That the long title of the Bill be agreed to.
Question put and agreed to.

TRANSPORT LEGISLATION AMENDMENT BILL (Hansard p. 3556, 4.31 pm)
Order of the day read for the adjourned debate on the motion of the Minister for Transport and Main
Roads (Mr Lucas) – That the Bill be now read a second time.
Debate ensued.
Debate adjourned on the motion of Mr Sullivan.

NOTICE OF MOTION – QUEENSLAND PUBLIC HOSPITALS (Hansard p. 3565, 5.30 pm)
Mr Quinn moved – That this House supports the retention of a free public hospital system for all
Queenslanders and calls on the Government to abandon its proposal to charge patients a co-payment
and means-test them when they seek treatment.
Debate ensued.
The following amendment was proposed by Premier and Treasurer (Mr Beattie)—
That all words after ‘Queenslanders’ are deleted and the following parts inserted—
‘That the House notes the $6.4 billion injection of funds over five years to the Queensland public
health system as outlined in the Action Plan – Building a better health service for Queensland.
That the House notes that as outlined on page 11 of the plan no decision has been made
regarding other revenue raising models and that a health economist will be recruited to report to the
Government by March 2006 on possible policies to increase revenue for health services
including means testing or co-payments.
Further, that the House calls on the Federal Government to match the additional funding to be
provided by the Queensland Government, to increase the number of federally funded training
places available for medical students and to deal positively with all the other recommendations for
Federal Government involvement contained in the final report of the Queensland Health Systems
Review.’
Debate ensued.
Question put – That Mr Beattie’s amendment be agreed to.
The House divided.
AYES 43—

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Tellers *

Question agreed to.

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

The House divided.

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Tellers *

Question agreed to.

Motion, as agreed—

That this House supports the retention of a free public hospital system for all Queenslanders.

That the House notes the $6.4 billion injection of funds over five years to the Queensland public health system as outlined in the Action Plan – Building a better health service for Queensland.

That the House notes that as outlined on page 11 of the plan no decision has been made regarding other revenue raising models and that a health economist will be recruited to report to the Government by March 2006 on possible policies to increase revenue for health services including means testing or co-payments.

Further, that the House calls on the Federal Government to match the additional funding to be provided by the Queensland Government, to increase the number of federally funded training places available for medical students and to deal positively with all the other recommendations for Federal Government involvement contained in the final report of the Queensland Health Systems Review.

PUBLIC SECTOR (VICTIMS PROTECTION) BILL  (Hansard p. 3575, 7.41 pm)

Order of the day read for the adjourned debate on the motion of the Leader of the Opposition (Mr Springborg) – That the Bill be now read a second time.

Debate ensued.

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

Letter, dated 12 August 2005, from Grace Grace, General Secretary, Queensland Council of Unions to the Leader of the Opposition (Mr Springborg) relating to the Public Sector (Victims Protection) Bill

Debate continued.
Question put.
The House divided.

**AYES 23—**

- Caltabiano
- Copeland
- Cunningham, E
- Flegg
- Foley
- Hobbs
- Hopper *
- Lee Long
- Langbroek
- Lingard
- Menkens
-Messenger
- Malone
- McArdle
- Roberts, E
- Rogers *
- Rowell
- Seeney
- Stuckey
- Wellington

**NOES 34—**

- Barton
- Choi
- Clark, L
- Croft
- Cunningham, J
- Finn
- Fouras
- Hoolhan
- Lawlor
- Livingstone
- McNamara
- Miller
- Mulherin
- Nelson–Carr
- Poole
- Reeves *
- Reynolds
- Stone
- Pratt
- Purcell
- Reynolds
- Roberts, N
- Struthers
- Scott
- Spence
- Stone
- Seenity
- Wallace
- Wells
- Wilson *

Tellers *

Question negatived.

**SOFT DRINKS (PROHIBITION FROM SELLING AT SCHOOLS) BILL** (Hansard p. 3581, 8.20 pm)

Order of the day read for the adjourned debate on the motion of the Member for Moggill (Mr Flegg) – That the Bill be now read a second time.

Debate ensued.

Question put.
The House divided.

**AYES 21—**

- Caltabiano
- Copeland
- Cunningham, E
- Flegg
- Foley
- Hobbs
- Hopper *
- Lee Long
- Langbroek
- Lingard
- Menkens
- Messenger
- Malone
- McArdle
- Roberts, E
- Rogers *
- Rowell
- Seeney
- Stuckey

**NOES 38—**

- Barton
- Choi
- Clark, L
- Croft
- Cunningham, J
- Finn
- Fouras
- Hoolhan
- Lawlor
- Livingstone
- McNamara
- Miller
- Mulherin
- Nelson–Carr
- Poole
- Reeves *
- Reynolds
- Roberts, N
- Struthers
- Scott
- Spence
- Stone
- Welford
- Wells
- Wilson *

Tellers *

Question negatived.

**ADJOURNMENT** (Hansard p. 3595, 10 pm)

Leader of the House (Mr Schwarten) moved – That this House do now adjourn.

Debate ensued.

Papers:  Mr Knuth, during his speech, tabled the following papers—

Two non–conforming petitions relating to residential land development at Moranbah

Debate continued.

Question put and agreed to.
The House adjourned at 10.28 pm.
ATTENDANCE

The following Members were present—

Attwood  English  Knuth  Menkens  Reeves  Smith
Barry  Fenlon  Langbroek  Messenger  Reilly  Spence
Barton  Finn  Lavarch  Mickel  Reynolds  Springborg
Beattie  Flegg  Lawlor  Miller  Rickuss  Stone
Bligh  Foley  Lee  Molloy  Roberts  E  Strutters
Briskey  Fouras  Lee long  Mulherin  Roberts  N  Stuckey
Caltabiano  Fraser  Lingard  Nelson–Carr  Robertson  Sullivan, C
Choi  Hayward  Livingstone  Nolan  Rogers  Sullivan, T
Clark, E  Hobbs  Lucas  O’Brien  Rowell  Wallace
Clark, L  Hoolihan  Male  Pearce  Schwarten  Welford
Copeland  Hopper  Malone  Poole  Scott  Wellington
Croft  Johnson  McArdle  Pratt  Seeney  Wells
Cummins  Keech  McGrady  Purcell  Shine  Wilson
Cunningham, E  Cunningham, J  McNamara  Quinn  Simpson

A McGRADY
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT