



TASMANIA

HOUSE OF ASSEMBLY

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 1

TUESDAY 19 MARCH 2019

A SESSION OF THE PARLIAMENT OF TASMANIA, CONVENED AND HOLDEN IN THE CITY OF HOBART ON TUESDAY THE NINETEENTH DAY OF MARCH IN THE SIXTY-EIGHTH YEAR OF OUR SOVEREIGN LADY, QUEEN ELIZABETH II AND IN THE YEAR OF OUR LORD TWO THOUSAND AND NINETEEN

1 PARLIAMENT MEETS. - On which day, being the first day of the meeting of the Parliament for the despatch of business, pursuant to the Proclamation hereunder annexed, *Shane Gerard Donnelly*, Esquire, Clerk of the House of Assembly, attending in the House according to his duty at Eleven o'clock a.m. the said Clerk of the House read the Proclamation of Her Excellency the Governor as follows: -

PARLIAMENT OF TASMANIA

A PROCLAMATION

WHEREAS it is expedient that the Parliament of Tasmania be prorogued, I, Professor the Honourable Kate Warner, Companion of the Order of Australia, Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, exercising the power and authority vested in me by the Constitution Act 1934, hereby prorogue the Parliament effective from 6.00 pm this day.

And I hereby fix 11.00 am on Tuesday 19 March 2019 in the Houses of Parliament situated in the City of Hobart in Tasmania as the time and place for the next Session of Parliament.

GIVEN under my hand at Hobart in Tasmania on 26 February 2019.

C. A. WARNER, Governor.

By Her Excellency's Command,
WILLIAM E. F. HODGMAN, Premier.

2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE. - The Speaker made a statement acknowledging the traditional people of the land.

3 PRAYERS AND REFLECTION. - The Speaker read Prayers.

4 MESSAGE TO ATTEND THE GOVERNOR'S COMMISSIONERS. - A Message was delivered by *Stuart MacGregor Wright*, Usher of the Black Rod, who, being admitted advanced to the Bar and said:

"Madam Speaker, Her Excellency the Governor's Commissioners have commanded me to inform this Honourable House it is their pleasure that they attend them immediately in the Legislative Council Chamber."

Accordingly, the Speaker, with the Members, proceeded to the Chamber of the Legislative Council, and being returned, the Speaker resumed the Chair at nine minutes past Eleven o'clock.

5 RESIGNATION OF MEMBER. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania

12 February 2019

The Honourable Sue Hickey MP
Speaker of the House of Assembly,
Parliament House,
Hobart 7000

Dear Madam Speaker,

I have today received a letter dated 11 February 2019 from Mr *Adam Brooks* MP tendering his resignation as a Member for Braddon in the House of Assembly effective from Tuesday 12 February 2019.

I have instructed the Electoral Commissioner to proceed in accordance with the provisions of Part 9 of the Electoral Act 2004.

Yours sincerely,

C. A. WARNER, *Governor*

6 RESIGNATION OF MEMBER. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania

25 February 2019

The Honourable Sue Hickey MP
Speaker of the House of Assembly,
Parliament House,
Hobart 7000

Dear Madam Speaker,

I have today received a letter dated 25 February 2019 from Mr *Rene Hidding* MP tendering his resignation as a Member for Lyons in the House of Assembly effective from Monday 25 February 2019.

I have instructed the Electoral Commissioner to proceed in accordance with the provisions of Part 9 of the Electoral Act 2004.

Yours sincerely,

C. A. WARNER, *Governor*

7 ELECTION OF MEMBER. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania

25 February 2019

The Honourable Sue Hickey MP
Speaker of the House of Assembly,
Parliament House,
Hobart 7000

Dear Madam Speaker,

I send herewith the Certificate of the Electoral Commissioner stating that a recount has been held under the provisions of Part 9 of the Electoral Act 2004 to fill the vacancy in the Division of Braddon caused by the resignation of Mr *Adam Brooks*.

Following a recount of the resigned member's ballot papers, *Joan Rylah* has been elected to fill the vacancy. The election takes effect from today.

Yours sincerely,

C. A. WARNER, *Governor*

8 ELECTION OF MEMBER. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania

12 March 2019

The Honourable Sue Hickey MP
Speaker of the House of Assembly,
Parliament House,
Hobart 7000

Dear Madam Speaker,

I send herewith the Certificate of the Electoral Commissioner stating that a recount has been held under the provisions of Part 9 of the Electoral Act 2004 to fill the vacancy in the Division of Lyons caused by the resignation of Mr *Rene Hidding*.

Following a recount of the resigned member's ballot papers, *John Tucker* has been elected to fill the vacancy. The election takes effect from today.

Yours sincerely,

C. A. WARNER, *Governor*

9 MEMBERS SWORN. – The following Members took and subscribed to the Oath: -

Joan Flora RYLAH, Braddon
John TUCKER, Lyons

10 MEMBERS SUBSCRIBE TO CODE OF CONDUCT. - The following Members subscribed to the Code of Conduct: -

Joan Flora RYLAH, Braddon
John TUCKER, Lyons

11 LEAVE TO MAKE MOTION WITHOUT NOTICE. – *Ordered*, that the Premier have leave to make a Motion without notice. (The Premier)

12 SUSPENSION OF STANDING ORDERS. – *Ordered*, That so much of Standing Orders be suspended as would prevent a motion concerning the Christchurch shootings from being debated forthwith, and that the Leader of the Opposition, the Leader of the Greens and the Mover speak to the motion for a period of time not exceeding ten minutes. (The Premier)

13 CHRISTCHURCH SHOOTINGS. – *Resolved, nemine contradicente*, - That the House:-

- (1) Condemns the shocking act of terrorism in Christchurch, New Zealand on Friday, 15 March 2019 that resulted in the death of fifty innocent people, and injured at least fifty more.
- (2) Extends our deepest condolences to the families of those killed, and all impacted by this hateful act.
- (3) Extends our support to the Government and the people of New Zealand in dealing with the tragic aftermath of this act of terror.
- (4) Affirms our resolve to unite against intolerance, racism, violence and instead promote harmony, multi-culturalism and peace in our community. (The Premier)

14 PAPERS. – The Deputy Premier laid upon the Table of the House the following Papers:-

- (1) Burial and Cremation Act 2002: Burial and Cremation Amendment Regulations 2018 (Statutory Rules 2018, No.)
- (2) Vehicle and Traffic Act 1999: Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment Regulations (No. 2) 2018 (Statutory Rules 2018, No. 93).

15 PAPERS. – The Minister for Health laid upon the Table of the House the following Papers:-

- (1) Tasmanian Health Service Act 2018: Tasmanian Health Service Amendment Regulations 2018 (Statutory Rules 2018, No. 92).
- (2) Tasmanian Health Service 2018-19: Service Plan.

16 PAPERS. – The Attorney-General laid upon the Table of the House the following Papers:-

- (1) Sentencing Act 1997: Sentencing Amendment Regulations 2018 (Statutory Rules 2018, No. 81).
- (2) Legal Profession Act 2007: Legal Profession Regulations 2018 (Statutory Rules 2018, No. 66).
- (3) Registration to Work with Vulnerable People Act 2013: Registration to work with Vulnerable People (Risk Assessment for Child-Related Activities) Amendment Order 2019 (Statutory Rules 2019, No. 4).

17 PAPERS. – The Minister for Building and Construction laid upon the Table of the House the following Papers:-

- (1) Architects Act 1929: Architects Regulations 2018 (Statutory Rules 2018, No. 72).
- (2) Work Health and Safety Act 2012: Work Health and Safety Amendment Regulations 2018 (Statutory Rules 2018, No. 68).
- (3) Occupational Licensing Act 2005: Occupational Licensing (Electrical Work) Regulation 2018 (Statutory Rules 2018, No. 89).

18 PAPERS. – The Minister for Planning laid upon the Table of the House the following Paper:-
Land Use Planning and Approvals Act 1993: Land Use Planning and Approvals Amendment Regulations 2018 (Statutory Rules 2018, No. 52).

19 PAPERS. – The Minister for Primary Industries and Water laid upon the Table of the House the following Papers:-

- (1) Boundary Fences Act 1908: Boundary Fences Regulations 2018 (Statutory Rules 2018, No. 67).
- (2) Water Management Act 1999: Water Management (Electoral and Polling) Regulations 2019 (Statutory Rules 2019, No. 1).
- (3) Electricity Supply Industry Act 1995: Electricity Supply Industry Regulations 2018 (Statutory Rules 2018, No. 80).

20 GOVERNMENT BUSINESSES SCRUTINY COMMITTEE: REPORT BROUGHT UP. – Mr *Shelton* brought up the Report of Government Businesses Scrutiny Committee 2018.

21 PAPERS. – The Clerk of the House laid upon the Table of the House the following Papers:-

- (1) Tasmanian Audit Office: Report of the Auditor-General No.7 of 2018-19 Performance Management in the Tasmanian State Service: A Focus on quality conversations - March 2019.
- (2) Ombudsman Tasmania: Investigation into a public interest disclosure concerning the sale of a property by the Meander Valley Council to recover unpaid rates - 16 October 2018.

22 DEPUTY-CHAIRS OF COMMITTEES: APPOINTMENT OF. - The Speaker read the following Warrant: -

HOUSE OF ASSEMBLY
SPEAKER'S WARRANT

Pursuant to Standing Order No. 14, I hereby nominate -

Mrs *Rylah* MP; and
Mr *Tucker* MP

to act as Deputy-Chairs of Committees in the absence of, or when requested so to do by the Chair of Committees.

Given under my hand, this 19th day of March 2019.

SUE HICKEY, *Speaker*

23 PRO-FORMA BILL. - The Premier presented -

“A Bill for an Act to amend the Acts Enumeration Act 1947”. (Bill No. 1)

And Mr *Hodgman* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

24 SPEAKER REPORTS OPENING BY HER EXCELLENCY THE GOVERNOR’S COMMISSIONERS. - The Speaker reported that the House had this day been to the Legislative Council Chamber when Her Excellency the Governor’s Commissioners declared the Second Session of the Forty-Ninth Parliament open.

25 SENATE VACANCY. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania

31 January 2019

The Honourable Sue Hickey MP
Speaker of the House of Assembly,
Parliament House,
Hobart 7000

Dear Madam Speaker,

I enclose a copy of the letter that I have received from the Governor-General of the Commonwealth of Australia notifying me that, pursuant to the provisions of Section 21 of the Commonwealth of Australia Constitution, a vacancy has occurred on 21 January 2019 in the representation of the State of Tasmania as a result of the resignation of Senator David Bushby.

I have also written to the Premier and the President of the Legislative Council to advise them of the vacancy.

Yours sincerely,

C. A. WARNER, *Governor*.

26 SENATE VACANCY – APPOINTMENT OF SENATOR. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania

6 March 2019

The Honourable Sue Hickey MP
Speaker of the House of Assembly,
Parliament House,
Hobart 7000

Dear Madam Speaker,

I write to inform you that, pursuant to Section 15 of the Constitution of the Commonwealth of Australia I have today, on the advice of my Executive Council, appointed Wendy Anne Askew to fill the vacancy in the representation of the State of Tasmania in the Senate that arose from the resignation of Senator David Bushby.

As you are aware, this appointment will expire fourteen days from the commencement of the next session of Parliament.

A copy of the Instrument of Appointment is attached.

Yours sincerely,

C. A. WARNER, *Governor*.

27 STANDING ORDERS AMENDMENTS: APPROVAL OF. - The Speaker said “I have to advise the House that in accordance with the provisions of the Constitution Act 1934, I attended Government House on 24 December last, to present for approval, the amendments to the Standing

Orders agreed to be the House on 29 November last and advise that Her Excellency the Governor gave her approval of the same.”

28 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Minister for Health have leave to make certain Motions without Notice. (The Minister for Health)

29 BILLS: RESUMPTION OF PROCEEDINGS. - *Ordered*, That in accordance with Standing Order No. 248:

(1) The proceedings of the –

Sentencing Amendment (Mandatory Sentencing for Serious Sexual Offences Against Children) (Bill No. 5 of 2018);
Sentencing Amendment (Assaults on Off-Duty Police) (Bill No. 6 of 2018);
Animal Welfare Reformation (Bill No. 38 of 2018);
House of Assembly Restoration (Bill No. 55 of 2018);
Land Acquisition Amendment (Bill No. 59 of 2018);
Litter Amendment (Bill No. 60 of 2018);
Forest Practices Amendment (Bill No. 61 of 2018);
Criminal Code and Related Legislation Amendment (Child Abuse) (Bill No. 63 of 2018);
Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Amendment (Bill No. 64 of 2018);
Registration to Work with Vulnerable People Amendment (Bill No. 65 of 2018); and
Short Stay Accommodation (Bill No. 66 of 2018)

which were interrupted by the prorogation of Parliament on 26 February 2019, be resumed at stage at which they were so interrupted.

(2) A message be transmitted to the Legislative Council requesting that the proceedings of the –

Corrections Amendment (Prisoner Remission) (Bill No. 15 of 2018);
Gas Industry (Bill No. 40 of 2018);
Gas Safety (Bill No. 41 of 2018);
Gas (Consequential Amendments) (Bill No. 42 of 2018);
Mental Health Amendment (Bill No. 43 of 2018);
Justice and Related Legislation (Marriage Amendments) (Bill No. 47 of 2018);
Security and Investigations Agents Amendment (Bill No. 51 of 2018);
Supreme Court Civil Procedure Amendment (Bill No. 52 of 2018);
Energy Co-ordination and Planning Amendment (Bill No. 57 of 2018); and
Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) (Bill No. 58 of 2018)

which were interrupted by the prorogation of Parliament on 26 February 2019, be resumed at stage at which they were so interrupted. (The Minister for Health)

30 BILLS: RESUMPTION OF PROCEEDINGS IN THE LEGISLATIVE COUNCIL. A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly having passed the following Resolution begs now to transmit the same to the Legislative Council and to request its concurrence therein: -

Resolved, That in accordance with Standing Order No. 248, a message be transmitted to the Legislative Council requesting that the proceedings of the –

Corrections Amendment (Prisoner Remission) (Bill No. 15 of 2018);
Gas Industry (Bill No. 40 of 2018);
Gas Safety (Bill No. 41 of 2018);

Gas (Consequential Amendments) (Bill No. 42 of 2018);
Mental Health Amendment (Bill No. 43 of 2018);
Justice and Related Legislation (Marriage Amendments) (Bill No. 47 of 2018);
Security and Investigations Agents Amendment (Bill No. 51 of 2018);
Supreme Court Civil Procedure Amendment (Bill No. 52 of 2018);
Energy Co-ordination and Planning Amendment (Bill No. 57 of 2018); and
Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) (Bill No. 58 of 2018)

which were interrupted by the prorogation of Parliament on 26 February 2019, be resumed at stage at which they were so interrupted.

House of Assembly, 19 March 2019.

SUE HICKEY, *Speaker.*

31 PREMIER'S ADDRESS. – *Ordered*, That

- (1) The Premier make an Address to the House pursuant to Standing Order 351 at 3 o'clock p.m. this day.
- (2) The House of Assembly requests Members of the Legislative Council to attend in the House of Assembly Chamber at 3 o'clock p.m. this day for the purpose of hearing the Premier give the Premier's Address 2019. (The Minister for Health)

32 ATTENDANCE OF MEMBERS OF THE LEGISLATIVE COUNCIL: PREMIER'S ADDRESS. - A Message to the Legislative Council -

MR PRESIDENT,

The House of Assembly having passed the following Resolution begs now to transmit the same to the Legislative Council and to request its concurrence therein:-

Resolved, That the House of Assembly requests Members of the Legislative Council to attend in the House of Assembly Chamber at 3 o'clock p.m. for the purpose of hearing the Premier give the Premier's Address 2019.

House of Assembly, 19 March 2019.

SUE HICKEY, *Speaker.*

33 SESSIONAL ORDERS – *Ordered*, That for the remainder of this Session the following Sessional Orders be adopted: -

- (1) After Standing Order 18, insert the following Sessional Order:-
 - 18A Extension of Day's Sitting
 - (1) A Minister may, at any time, but not so as to interrupt another Member while speaking, move without leave and without notice — “That for this day's sitting, the House shall not stand adjourned at Six o'clock p.m. and that the House continue to sit past Six o'clock p.m.”
 - (2) Such motion supersedes the Main Question, if any, before the Chair.
 - (3) The Question of the extension of the day's sitting may not be amended and debate thereon shall not be allowed for more than twenty minutes, and in speaking thereon, no Member may exceed five minutes.
 - (4) Upon the resolution of the Question of the extension of the day's sitting, Debate on the Main Question, if any, shall resume as if uninterrupted.
- (2) In Standing Order 22, leave out “past and present” and insert instead “past, present and emerging”.
- (3) In Standing Order 42, leave out all the words after “ordered” and insert instead:-
 - “(a) Private Members Business will have priority from 2.30 p.m. till 6.00 p.m. on Wednesdays.

- (b) Private Members Business which has been on the Notice Paper for the period required by the Standing Orders may be called on by a Member of the group which has been allocated time pursuant to the following weekly rotations:—

WEEK ONE

| | |
|------------------------|----------------------------|
| 2.30 p.m. to 3.30 p.m. | Government Private Members |
| 3.30 p.m. to 5.00 p.m. | Opposition Members |
| 5.00 p.m. to 6.00 p.m. | Other Members |

WEEK TWO

| | |
|------------------------|----------------------------|
| 2.30 p.m. to 3.30 p.m. | Other Members |
| 3.30 p.m. to 5.00 p.m. | Opposition Members |
| 5.00 p.m. to 6.00 p.m. | Government Private Members |

- (c) the Member calling on an item in Private Members' Business may, in doing so, state that at the conclusion of that time for the debate on that day, the matter be voted upon.
- (d) at the commencement of the time allocated for a group's Private Members' Business, the Whip or any other Member of that group, may indicate to the Speaker that its time be waived, in which case, the House shall immediately proceed with Government Business for that allocation of time."
- (4) After Standing Order 48, insert the following Sessional Order:-
- “48A Minimum number of Questions
Notwithstanding the provisions of Standing Order 47, the Speaker shall ensure that a minimum of questions without notice to be asked shall be seven by the Opposition, four by the Government Private Members and two by other members.”
- (5) In Standing Order 76, after paragraph (3), by adding the following new paragraph:-
- “(4) On Tuesdays and Wednesdays priority shall be given to the Opposition to raise a Matter of Public Importance and on Thursdays priority shall be given to Members other than the Opposition. Government Private Members shall only be given priority on every third sitting week.”
- (6) In Standing Order 129, by adding the following new paragraph:-
- “(2) A Member who has moved a substantive motion, or has moved an Order of the Day, may move the adjournment of the debate pursuant to paragraph (1), but such motion shall not be taken to be the ‘reply’ prescribed by Standing Order 128.” (The Minister for Health)

34 SESSIONAL AND SELECT COMMITTEES - *Ordered* –

- (1) That the following Members of this House be appointed to serve on the Joint Committee of both Houses to manage the Library:-

The Speaker;
The Chair of Committees;
Dr Broad;
Ms Dow;
Mrs Rylah; and
Mr Tucker.
(S.O. 323)

- (2) That the following Members of this House be appointed to serve on the Joint Committee of both Houses (known as the House Committee) to control Parliament House and grounds, including catering for Parliament:-

The Speaker;
The Chair of Committees; and
Mr *O'Byrne*
(S.O. 323)

- (3) Firearms Legislation and Policy, Select Committee on:

- (1) That a Select Committee be re-appointed with power to send for persons and papers to inquire into and report upon current firearms laws, with the following terms of reference:-
 - (a) current and future firearms licensing regimes, including training and testing, licence renewal, licence infringements and licence categories;
 - (b) compliance with the provisions of the National Firearms Agreement;
 - (c) the roles of Tasmania Police, Firearms Services (FAS) and the creation of a broad-based consultative group;
 - (d) consideration of public submissions to the Legislative Council firearms laws inquiry in relation to (a), (b) and (c) above; and
 - (e) any other matters incidental thereto.
- (2) That the following members of this House be appointed to serve on the committee:-
 - (a) Mr *Shelton* (Chair);
 - (b) Dr *Broad* (Deputy Chair);
 - (c) Mr *Tucker*; and
 - (d) One Member nominated by the Leader of the Tasmanian Greens.
- (3) The Chair of the Committee has a deliberative and a casting vote.
- (4) A quorum for any meeting of a committee shall be three of whom one is the Chair of the Committee or Deputy Chair.
- (5) That the committee report by 3 September 2019.
- (6) That should the House not be sitting, a report may be presented to the Speaker of the House, or in their absence, the Clerk of the House, and any report so presented is taken to have been published by order of the House of Assembly.

and the Minutes of proceedings of and the evidence taken by the Committee appointed for this purpose in the previous Session be referred to the Committee.

- (4) House of Assembly Restoration Bill, Select Committee on:

- (1) That a Select Committee be re-appointed, with power to send for persons and papers and records, to inquire into and report upon:-
 - (a) the House of Assembly Restoration Bill 2018 (No. 55);
 - (b) Other matters incidental thereto.
- (2) The Committee shall consist of six (6) Members, being: three (3) from the Government nominated by the Leader of the House, one of whom shall be the Speaker of the House; two (2) from the Opposition nominated by the Leader of the Opposition; and one (1) from the Tasmanian Greens nominated by the Leader of the Tasmanian Greens, whom shall be the Chair.
- (3) The Committee report by 3 September 2019.

and the Minutes of proceedings of and the evidence taken by the Committee appointed for this purpose in the previous Session be referred to the Committee.

(The Minister for Health)

35 LIBRARY COMMITTEE. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath appointed the following Members to serve on a Joint Committee of both Houses to manage the Library:-

The Speaker;
The Chair of Committees;
Dr *Broad*;
Ms *Dow*;
Mrs *Rylah*; and
Mr *Tucker*.

House of Assembly, 19 March 2019.

SUE HICKEY, *Speaker*.

36 HOUSE COMMITTEE. - A Message to the Legislative Council. -

MR PRESIDENT

The House has appointed the following Members to serve on the Joint Committee of both Houses (known as the House Committee) to control Parliament House and grounds, including catering for Parliament:-

The Speaker;
The Chair of Committees; and
Mr *O'Byrne*.

House of Assembly, 19 March 2019.

SUE HICKEY, *Speaker*.

37 STANDING COMMITTEES: - *Ordered* –

- (1) That the following Member be appointed to serve on the Parliamentary Standing Committee on Public Works in pursuance of section 3 subsection (2) of the *Public Works Committee Act 1914* (No. 32):-

Mrs *Rylah*.

- (2) That the following Member of this House be appointed to serve on the Parliamentary Standing Committee on Subordinate Legislation in accordance with the provisions of section 3 of the *Subordinate Legislation Committee Act 1969* (No. 44):-

Mr *Tucker*.

- (3) That the following Members of this House be appointed to serve on the Parliamentary Standing Committee of Public Accounts in pursuance of section 2 subsection (2) of the *Public Accounts Committee Act 1970* (No. 54):-

Mrs *Rylah*; and
Mr *Tucker*.

- (4) That the following Member of this House be appointed to serve on the Joint Standing Committee on Integrity in accordance with section 23 subsection (4) of the Integrity Commission Act 2009 (No. 67):-

The Minister for Health.

- (5) That the following Member of this House be appointed to serve on the Standing Committee of Privileges:-

The Deputy Premier.
(S.O. 325)

(The Minister for Health)

38 PUBLIC WORKS COMMITTEE. - A Message to the Legislative Council. -

MR PRESIDENT

In accordance with the provisions of section 3 subsection (2) of the Public Works Committee Act 1914 (No. 32), the following Member has been appointed on the part of the House to serve on the Parliamentary Standing Committee of Public Works:-

Mrs Rylah.

House of Assembly, 19 March 2019

SUE HICKEY, Speaker.

39 SUBORDINATE LEGISLATION COMMITTEE. - A Message to the Legislative Council. -

MR PRESIDENT

In accordance with the provisions of section 3 of the Subordinate Legislation Committee Act 1969 (No. 44), the following Member has been appointed on the part of the House of Assembly to serve on the Subordinate Legislation Committee:-

Mr Tucker.

House of Assembly, 19 March 2019

SUE HICKEY, Speaker.

40 PUBLIC ACCOUNTS COMMITTEE. - A Message to the Legislative Council. -

MR PRESIDENT

In accordance with the provisions of section (2) subsection 2 of the Public Accounts Committee Act 1970 (No. 54), the following Members have been appointed on the part of the House of Assembly to serve on the Parliamentary Standing Committee of Public Accounts:-

*Mrs Rylah; and
Mr Tucker.*

House of Assembly, 19 March 2019

SUE HICKEY, Speaker.

41 INTEGRITY COMMITTEE. - A Message to the Legislative Council. -

MR PRESIDENT

In accordance with section 23 subsection (4) of the Integrity Commission Act 2009 (No. 67), the following Member has been appointed on the part of the House of Assembly to serve on the Joint Standing Committee on Integrity:-

The Minister for Health.

House of Assembly, 19 March 2019

SUE HICKEY, Speaker.

42 BILLS. – The Minister for Justice presented -

“A Bill for an Act to amend the Motor Accidents (Liabilities and Compensation) Act 1973”. (Bill No. 4)

“A Bill for an Act to amend the Electoral Act 2004”. (Bill No. 3)

And Ms *Archer* having presented the said Bills, the same were read the First time and made Orders of the Day for tomorrow.

43 HOUSE COMMITTEE. - A Message from the Legislative Council -

MADAM SPEAKER

The Legislative Council has made the following appointments to the Joint Committee of both Houses to control Parliament House and grounds and other matters:-

The President;
Ms *Forrest*; and
Mrs *Hiscutt*.

Legislative Council, 19 March 2019

J. S. WILKINSON, President

44 LIBRARY COMMITTEE. - A Message from the Legislative Council -

MADAM SPEAKER

The Legislative Council has made the following appointments to the Joint Committee of both Houses to manage the Library:-

The President;
Mr *Farrell*;
Mr *Finch*;
Ms *Forrest*;
Ms *Rattray*; and
Mr *Valentine*.

Legislative Council, 19 March 2019

J. S. WILKINSON, President

45 SENATE VACANCY: JOINT SITTING AND RULES. - A Message from the Legislative Council. -

MADAM SPEAKER,

The Legislative Council having agreed to the following Resolution, now transmits the same to the House of Assembly, and requests its concurrence therein:-

That on Wednesday 20 March 2019 at 9.30 o'clock in the forenoon the Legislative Council meet the House of Assembly in the House of Assembly Chamber for the purpose of sitting and voting together to choose a person to hold a place in the Senate of the Parliament of the Commonwealth of Australia rendered vacant by the resignation of Senator David Bushby; and further, the Legislative Council proposes the following Rules for the Joint Sitting:—

1. PARLIAMENTARY USAGE TO BE FOLLOWED IN DEBATE –

That on any Debate arising, the same shall be conducted according to the Standing Rules and Orders of the House of Assembly. On all points of order, and on all questions arising during the proceedings for choosing a person to fill the vacant place in the Senate, the ruling of the Presiding Officer shall be absolute and final.

2. RULES OF PROCEDURE –

- (1) The Presiding Officer shall call for nominations of persons to fill the seat rendered vacant by the resignation of Senator David Bushby. Each nomination shall be in writing, signed by the proposer, who shall certify on the form of nomination that the

person so nominated is willing to hold the seat if chosen and is not disqualified from so doing. The proposer shall also certify that the nominee is a member of the Liberal Party. Nominations shall be handed to the Clerk, who upon being satisfied that they are in order, shall proceed with the preparation of the ballot paper. In the event that one or more nominees are certified to be members of the appropriate Party, those nominees only shall be taken to have been validly proposed to fill the vacancy, and no names other than theirs shall be included on the ballot paper as candidates for the vacant seat.

- (2) If only one person be nominated for the vacant seat, the Presiding Officer shall propose the Question “That (name of proposed person) be chosen to hold the place in the Senate rendered vacant by the resignation of Senator David Bushby and, should such Question be passed in the affirmative, shall so declare.
- (3) If more than one person be nominated for the vacant seat, a ballot shall be taken in the manner hereinafter provided to determine which of such persons shall be chosen to hold the vacant place. Each of such persons so duly nominated is hereinafter referred to as ‘a candidate’.
- (4) The Presiding Officer shall announce the names of the candidates who have been nominated, and shall then direct that a ballot be proceeded with, after which no other person shall be nominated; and the Clerk shall turn a two-minute sand-glass, to be kept on the table for that purpose, and the division bells of the House of Assembly shall be rung, and the doors shall not be closed till after the lapse of two minutes, as indicated by the said sand-glass. The doors shall be locked as soon after the lapse of two minutes as the Presiding Officer shall think proper to direct, and, unless otherwise ordered, shall remain locked until it shall have been declared in the manner provided in Rule 2 that a candidate has been chosen to hold the vacant place: provided that the Clerk and two Scrutineers may retire from the Chamber in order to prepare the ballot papers, and subsequently, to count the votes.
- (5) The Presiding Officer shall appoint a Member of each House to be a Scrutineer to assist the Clerk of the Joint Sitting (herein referred to as the ‘Clerk’) in ascertaining the number of votes cast for each candidate.
- (6) As soon as practicable after the Presiding Officer has announced that the ballot will be proceeded with each Member present shall be provided with a ballot paper initialled by the Clerk.
- (7) Each Member voting shall forthwith mark on the ballot-paper the order of his or her preference for all candidates, and any ballot paper not so marked shall be rejected as informal.
- (8) The Member shall then fold and place the ballot paper so marked in the ballot box.
- (9) If there are only two candidates, the Clerk shall report to the Presiding Officer the number of valid votes cast for each candidate, and the Presiding Officer shall declare in the manner provided in Rule 2 that the candidate who has the larger number of votes has been chosen to hold the vacant place.
- (10) If there are more than two candidates, the method of counting the votes prescribed by Schedule 5 of the *Electoral Act 2004*, for cases in which only one Member is to be elected shall, so far as practicable, and not inconsistent with these rules, be observed.
- (11) As soon as it is ascertained that any candidate has obtained an absolute majority of the valid votes recorded by the Members voting, the Clerk shall so report to the Presiding Officer, and the Presiding Officer shall declare in the manner provided in Rule 2 that such candidate has been chosen to hold the vacant place.

- (12) If at any stage in the count, two or more of the candidates have an equal number of votes, and one of them has to be excluded, the Clerk shall forthwith report to the Presiding Officer the results of the count at that stage. The Members shall thereupon proceed to a special ballot to ascertain which of such candidates shall be excluded, but so that if there are more than two of such persons with an equality of votes only one shall be excluded.
- (13) In all cases not provided for in these Rules resort shall be had to the procedure laid down in the *Electoral Act 2004*, so far as the same may in the opinion of the Presiding Officer be applicable and not inconsistent with these Rules.

Legislative Council, 19 March 2019.

J. S. WILKINSON, *President.*

Ordered, That the said Message be taken into consideration forthwith. (The Minister for Health)

Ordered, That the Resolution be agreed to. (The Minister for Health)

46 SENATE VACANCY: JOINT SITTING AND RULES. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly doth agree to the following Resolution communicated to it by the Legislative Council on 19 March 2019:-

Resolved, That on Wednesday 20 March 2019 at 9.30 o'clock in the forenoon the Legislative Council meet the House of Assembly in the House of Assembly Chamber for the purpose of sitting and voting together to choose a person to hold a place in the Senate of the Parliament of the Commonwealth of Australia rendered vacant by the resignation of Senator David Bushby; and further, the Legislative Council proposes the following Rules for the Joint Sitting:—

1. PARLIAMENTARY USAGE TO BE FOLLOWED IN DEBATE –

That on any Debate arising, the same shall be conducted according to the Standing Rules and Orders of the House of Assembly. On all points of order, and on all questions arising during the proceedings for choosing a person to fill the vacant place in the Senate, the ruling of the Presiding Officer shall be absolute and final.

2. RULES OF PROCEDURE –

- (1) The Presiding Officer shall call for nominations of persons to fill the seat rendered vacant by the resignation of Senator David Bushby. Each nomination shall be in writing, signed by the proposer, who shall certify on the form of nomination that the person so nominated is willing to hold the seat if chosen and is not disqualified from so doing. The proposer shall also certify that the nominee is a member of the Liberal Party. Nominations shall be handed to the Clerk, who upon being satisfied that they are in order, shall proceed with the preparation of the ballot paper. In the event that one or more nominees are certified to be members of the appropriate Party, those nominees only shall be taken to have been validly proposed to fill the vacancy, and no names other than theirs shall be included on the ballot paper as candidates for the vacant seat.
- (2) If only one person be nominated for the vacant seat, the Presiding Officer shall propose the Question “That (name of proposed person) be chosen to hold the place in the Senate rendered vacant by the resignation of Senator David Bushby and, should such Question be passed in the affirmative, shall so declare.

- (3) If more than one person be nominated for the vacant seat, a ballot shall be taken in the manner hereinafter provided to determine which of such persons shall be chosen to hold the vacant place. Each of such persons so duly nominated is hereinafter referred to as 'a candidate'.
- (4) The Presiding Officer shall announce the names of the candidates who have been nominated, and shall then direct that a ballot be proceeded with, after which no other person shall be nominated; and the Clerk shall turn a two-minute sand-glass, to be kept on the table for that purpose, and the division bells of the House of Assembly shall be rung, and the doors shall not be closed till after the lapse of two minutes, as indicated by the said sand-glass. The doors shall be locked as soon after the lapse of two minutes as the Presiding Officer shall think proper to direct, and, unless otherwise ordered, shall remain locked until it shall have been declared in the manner provided in Rule 2 that a candidate has been chosen to hold the vacant place: provided that the Clerk and two Scrutineers may retire from the Chamber in order to prepare the ballot papers, and subsequently, to count the votes.
- (5) The Presiding Officer shall appoint a Member of each House to be a Scrutineer to assist the Clerk of the Joint Sitting (herein referred to as the 'Clerk') in ascertaining the number of votes cast for each candidate.
- (6) As soon as practicable after the Presiding Officer has announced that the ballot will be proceeded with each Member present shall be provided with a ballot paper initialled by the Clerk.
- (7) Each Member voting shall forthwith mark on the ballot-paper the order of his or her preference for all candidates, and any ballot paper not so marked shall be rejected as informal.
- (8) The Member shall then fold and place the ballot paper so marked in the ballot box.
- (9) If there are only two candidates, the Clerk shall report to the Presiding Officer the number of valid votes cast for each candidate, and the Presiding Officer shall declare in the manner provided in Rule 2 that the candidate who has the larger number of votes has been chosen to hold the vacant place.
- (10) If there are more than two candidates, the method of counting the votes prescribed by Schedule 5 of the *Electoral Act 2004*, for cases in which only one Member is to be elected shall, so far as practicable, and not inconsistent with these rules, be observed.
- (11) As soon as it is ascertained that any candidate has obtained an absolute majority of the valid votes recorded by the Members voting, the Clerk shall so report to the Presiding Officer, and the Presiding Officer shall declare in the manner provided in Rule 2 that such candidate has been chosen to hold the vacant place.
- (12) If at any stage in the count, two or more of the candidates have an equal number of votes, and one of them has to be excluded, the Clerk shall forthwith report to the Presiding Officer the results of the count at that stage. The Members shall thereupon proceed to a special ballot to ascertain which of such candidates shall be excluded, but so that if there are more than two of such persons with an equality of votes only one shall be excluded.

- (13) In all cases not provided for in these Rules resort shall be had to the procedure laid down in the *Electoral Act 2004*, so far as the same may in the opinion of the Presiding Officer be applicable and not inconsistent with these Rules.

House of Assembly, 19 March 2019

SUE HICKEY, *Speaker*.

47 SUSPENSION OF SITTING. - At fifty-six minutes past Eleven o'clock the Speaker left the Chair.

At Three o'clock the Speaker resumed the Chair.

48 PREMIER'S ADDRESS. In accordance with the Resolution of the House passed this day, Members of the Legislative Council were escorted on to the floor of the Chamber by the Sergeant-at-Arms and in accordance with the Standing Orders the Premier commenced an Address to the House.

49 PAPERS. – The Premier laid upon the Table of the House the following Paper:-

Royal Hobart Hospital Site – Masterplan Review and Update – 2020-2050 – Clinical Planning Taskforce Recommendations and Advice – March 2019.

50 PREMIER'S ADDRESS. - The Premier's Address continued.

51 PAPERS. – The Premier laid upon the Table of the House the following Paper:-

Tasmanian Government - Second Year Agenda – Building Your Future – March 2019.

52 PREMIER'S ADDRESS. - The Premier's Address continued and concluded.

Members of the Legislative Council withdrew.

53 PAPERS. – The Premier laid upon the Table of the House the following Paper:-

Premier's Address 2019.

54 PREMIER'S ADDRESS NOTED. - The Speaker proposed the Question - That the Premier's Address be noted.

Ordered, That the Debate be adjourned until tomorrow. (Ms *White*)

The House adjourned at forty-seven minutes past Three o'clock.

SHANE DONNELLY, *Clerk of the House*.

MEMBERS. - All present during the day except Ms *Houston*.