



LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 3

THURSDAY, 21 MARCH 2019

1 COUNCIL MEETS.— The Council met at 11.00 o'clock in the forenoon and the President read Prayers.

2 PAPERS.— The Clerk of the Council laid upon the Table the following Papers:—

- (1) Report of the Auditor-General: Report No. 8 of 2018-19 – Student attendance and engagement: Years 7 to 10.
- (2) Minutes of the Joint Meeting of the Legislative Council and House of Assembly to choose a Senator in the Parliament of the Commonwealth of Australia on Wednesday, 20 March 2019.
- (3) Office of the Tasmanian Economic Regulator: Comparison of Australian Standing Offer Energy Prices February 2019.
- (4) Office of the Tasmanian Economic Regulator: Energy in Tasmania Report 2017-2018.
- (5) Ambulance Service Act 1982: Statutory Rules 2018, No. 82, containing Ambulance Service Amendment Regulations 2018.
- (6) Ambulance Service Act 1982: Statutory Rules 2018, No. 83, containing Ambulance Service (Fees) Amendment Regulations 2018.
- (7) Ambulance Service Act 1982: Statutory Rules 2018, No. 84, containing Ambulance Service (Paramedic) Amendment Regulations 2018.
- (8) Health Practitioner Regulation National Law (Queensland): Health Practitioner Regulation National Law Regulation 2018.

3 SPECIAL REPORTS OF THE LEGISLATIVE COUNCIL GOVERNMENT ADMINISTRATION COMMITTEE 'A'.— Ms *Forrest* presented Special Reports of Government Administration Committee 'A' on its Resolution to Re-establish Inquiry into the resourcing of Tasmania's major hospitals to deliver acute health services, including mental health services, to the people of Tasmania and on its Resolution to Re-establish Inquiry into the impact of the Horizontal Fiscal Equalisation System as assessed by the Commonwealth Grants Commission.

Ordered, That the Reports be received. (Ms *Forrest*)

4 SPECIAL REPORT OF THE LEGISLATIVE COUNCIL GOVERNMENT ADMINISTRATION COMMITTEE 'A'.— Ms *Forrest* presented a Report of Government Administration Committee 'A' containing its Sub-Committee Special Report on Failure to Provide Documents into Acute Health Services in Tasmania.

Ordered, That the Report be received. (Ms *Forrest*)

Ordered, That the Report be printed. (Ms Forrest)

5 STATEMENT BY LEADER APPOINTMENT OF DEPUTY LEADER OF GOVERNMENT.— Mrs *Hiscutt* made a Statement as follows:—

“Mr President I wish to advise on Tuesday 19 March the Premier appointed the Hon Member for Prosser Ms *Howlett* Deputy Leader of Government Business in the Legislative Council.”

6 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Mrs *Hiscutt*)

The Sitting was suspended at 11.04 o'clock a.m. and resumed at 2.30 o'clock p.m.

7 QUESTION TIME.— The President called for Questions without Notice. There were six Questions asked.

8 BILL NO. 40 of 2018.— The Order of the Day was read for the consideration of the Gas Industry Bill 2018 as amended in Committee of the Whole Council.

Ordered, That the Bill, as amended in the Committee, be now taken into consideration.

The Council, accordingly, proceeded to take the same into consideration.

The Amendments were read the First time.

The said Amendments, being read the Second time, were agreed to.

Ordered, That the Bill as amended in the Committee, be now read the Third time. (Mrs *Hiscutt*)

The Bill was read the Third time and passed.

9 BILL NO. 40 of 2018.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has agreed, with Amendment, to a Bill, intituled — ‘An Act to regulate gas activities, to repeal the *Gas Act 2000* and the *Gas Pipelines Act 2000*, and for related purposes,’ now returns the same to the House of Assembly, and requests its concurrence therein.

Legislative Council, 21 March 2019

J.S. WILKINSON, *President*

10 BILL NO. 41 of 2018.— The Order of the Day was read for the consideration of the Gas Safety Bill 2018 as amended in Committee of the Whole Council.

Ordered, That the Bill, as amended in the Committee, be now taken into consideration.

The Council, accordingly, proceeded to take the same into consideration.

The Amendments were read the First time.

The said Amendments, being read the Second time, were agreed to.

Ordered, That the Bill as amended in the Committee, be now read the Third time. (Mrs *Hiscutt*)

The Bill was read the Third time and passed.

11 BILL NO. 41 of 2018.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has agreed, with Amendment, to a Bill, intituled — ‘An Act to regulate the gas industry, to provide for safety and technical standards that ensure that the gas supply industry, gas facilities, gas installations, gas appliances, gas storage systems and gas conditioning systems are constructed, maintained and operated to a high standard of safety and in a manner that protects persons and property, and for related purposes’,

now returns the same to the House of Assembly, and requests its concurrence therein.

Legislative Council, 21 March 2019

J.S. WILKINSON, *President*

12 BILL NO. 42 of 2018. — The Gas (Consequential Amendments) Bill 2018 was read the Third time and passed.

13 BILL NO. 42 of 2018.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled — ‘A Bill for an Act to amend certain legislation consequent on the enactment of the *Gas Industry Act 2018* and the *Gas Safety Act 2018*’,

Legislative Council, 21 March 2019

J.S. WILKINSON, *President*

14 BILL NO. 57 of 2018. — The Energy Coordination and Planning Amendment Bill 2018 was read the Third time and passed.

15 BILL NO. 57 of 2018.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has agreed without Amendment, to a Bill, intituled — ‘A Bill for an Act to amend the *Energy Co-ordination and Planning Act 1995*’,

Legislative Council, 21 March 2019

J.S. WILKINSON, *President*

16 MOTION WITHOUT NOTICE.— *Ordered*, That Mr *Dean* have leave to move a Motion without Notice.

17 REFERRAL OF BILL NO 47 OF 2018 TO GOVERNMENT ADMINISTRATION COMMITTEE ‘B’.— A Motion was made (Mr *Dean*) and the Question was proposed,

That the Justice and Related Legislation (Marriage Amendments) Bill 2018 (No. 47 of 2018) be referred to Government Administration Committee ‘B’ for further consideration and Report.

A Debate arose thereupon.

Ordered, That Mr *Dean*, have leave to Table a Letter from the Attorney-General to Members of the Legislative Council dated 20 March 2019.

And the Question being put, That the Motion be agreed to,

The Council divided.

AYES 6

NOES 8

Ms *Armitage*

Mr *Farrell*

Mr *Armstrong*

Mr *Finch* (Teller)

Mr *Dean*

Mr *Forrest*

Mrs *Hiscutt*

Mr *Gaffney*

Ms *Howlett* (Teller)

Ms *Lovell*

Ms *Rattray*

Ms *Siejka*

Mr *Valentine*

Mr *Willie*

So it passed in the Negative.

18 BILL NO. 47 of 2018.— The Order of the Day was read for the Second reading of the Justice and Related Legislation (Marriage Amendments) Bill 2018.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

Ordered, That the Debate be adjourned. (Mr *Dean*)

19 BILL NO. 3.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the *Electoral Act 2004*’,

to which the House desires the concurrence of the Legislative Council.

House of Assembly, 21 March 2019

S. HICKEY, *Speaker*

The Bill was read the First time.

Ordered, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

20 BILL NO. 4.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the *Motor Accidents (Liabilities and Compensation) Act 1973*’,

to which the House desires the concurrence of the Legislative Council.

House of Assembly, 21 March 2019

S. HICKEY, *Speaker*

The Bill was read the First time.

Ordered, That the Second reading of the Bill be made an Order of the Day for Tuesday next (Mrs *Hiscutt*)

21 BILL NO. 40 of 2018.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly doth agree to the Amendments made by the Legislative Council to the Bill, intituled — ‘A Bill for An Act to regulate gas activities, to repeal the *Gas Act 2000* and the *Gas Pipelines Act 2000*, and for related purposes’,

House of Assembly, 21 March 2019

S. HICKEY, *Speaker*

22 BILL NO. 41 of 2018.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly doth agree to the Amendment made by the Legislative Council to the Bill, intituled — ‘A Bill for an Act to regulate the gas industry, to provide for safety and technical standards that ensure that the gas supply industry, gas facilities, gas installations, gas appliances, gas storage systems and gas conditioning systems are constructed, maintained and operated to a high standard of safety and in a manner that protects persons and property, and for related purposes’,

House of Assembly, 21 March 2019

S. HICKEY, *Speaker*

23 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council will at its rising adjourn until 11.00 o'clock p.m. on Tuesday, 2 April 2019.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

24 STATEMENT BY THE PRESIDENT: CHRISTCHURCH, NEW ZEALAND – SHOOTING TRAGEDY.— The President said —

“Honourable Members the events in Christchurch on Friday, 15 March have affected us all. Before I put the Question to adjourn I would ask all Honourable Members to stand and join with me and observe a minute’s silence as a sign of our respect for those who lost their lives and for those families and community members so deeply impacted.”

25 ADJOURNMENT.— *Resolved*, That the Council do now adjourn. (Mrs *Hiscutt*)

The Council adjourned at 6.56 o'clock p.m.

D.T. PEARCE, *Clerk of the Council*.

Briefings:

- *Royal Flying Doctors Service*
- *Justice and related Legislation (Marriage Amendments) Bill 2018* (Bill No 47 of 2018)