



HOUSE OF ASSEMBLY

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 31

TUESDAY, 24 SEPTEMBER 2019

- 1 The House met at Ten o'clock a.m.
- 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 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice commenced.
- 5 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Lyons, Ms *White*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.
- 6 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 7 PETITION. - Mrs *Rylah* presented a Petition from approximately 39 citizens of Tasmania, requesting that the House call on the Government to:
 - (1) Retain the Arthur Pieman Conservation Area, the Western Tasmania Aboriginal Cultural Landscape and State Reserves (Sundown Point and West Point) as public areas for the whole community.
 - (2) Manage the area focusing on continued public access inclusive of the whole community with an emphasis on education, recreational activities, public participation and not discriminate against any individual or group of people. (HA6/2019)

Which Petition was read and received.

- 8 PAPERS. – The Minister for Primary Industries and Water laid upon the Table of the House the following Papers:-
 - (1) Animal Research Statistics Tasmania: Annual Report 2019.
 - (2) Plant Quarantine Act 1997: Plant Quarantine Amendment Regulations 2019 (Statutory Rules 2019, No.).
- 9 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. 1 of 2019-2020 Procurement in Local Government September 2019.

- (2) Correspondence from the Auditor-General to the Speaker Hon *Sue Hickey* MP dated 19 September 2019 titled "Four Corners Interview – Clarification of Auditor-General Comment".

10 MESSAGE FROM HER EXCELLENCY THE GOVERNOR. – The Speaker read the following Message from Her Excellency the Governor:-

MESSAGE.

C. A. WARNER, *Governor*.

A Bill for an Act to amend the Right to Information Act 2009 (Bill No. 14 (*Act No. 26 of 2019*))

having been presented to the Governor for the Royal Assent, she has, in the name and on behalf of Her Majesty the Queen, assented to the said Bill.

Government House, Hobart, 18 September 2019.

11 BILL NO. 15 of 2018. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Corrections Act 1997 in relation to remissions from sentences".

Legislative Council, 18 September 2019.

C.M. FARRELL, *President*.

12 BILL NO. 59 of 2018. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Land Acquisition Act 1993".

Legislative Council, 18 September 2019.

C.M. FARRELL, *President*.

13 BILL NO. 30. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Civil Liability Act 2002".

Legislative Council, 19 September 2019.

C.M. FARRELL, *President*.

14 BILL NO. 5. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Criminal Code Act 1924, the Community Protection (Offender Reporting) Act 2005, the Family Violence Act 2004 and the Justices Act 1959".

Legislative Council, 19 September 2019.

C.M. FARRELL, *President*.

15 BILL NO. 6. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to wind up the Fruit and Nut Research, Development and Extension Trust Fund and to repeal the Fruit and Nut Industry (Research, Development and Extension Trust Fund) Act 2012".

Legislative Council, 19 September 2019.

C.M. FARRELL, President.

16 BILL NO. 31. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Historic Cultural Heritage Act 1995".

Legislative Council, 19 September 2019.

C.M. FARRELL, President.

17 BILL NO. 40. – The Minister for Mental Health and Wellbeing presented -

“A Bill for an Act to repeal the Alcohol and Drug Dependency Act 1968 and to amend certain Acts, and rescind or revoke certain legislative instruments, consequent on that repeal”.

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

18 BILL NO. 39. – The Minister for Justice presented -

“A Bill for an Act to amend the Sentencing Act 1997, the Criminal Law (Detention and Interrogation) Act 1995 and the Criminal Code”.

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

19 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Minister for Infrastructure and Transport have leave to make a Motion without Notice. (The Minister for Infrastructure and Transport)

20 SESSIONAL ORDERS. – A Motion being made and the Question being proposed – That the Sessional Orders be amended as follows: -

(1) The Sessional Order replacing Standing Order 42 be amended as follows:-

(a) leave out “Other Members”, wherever occurring, and insert instead “Greens Members”;

(b) after paragraph (b), by inserting the following new paragraph
“(ba) Notwithstanding the provisions of paragraph (a) and the weekly rotations prescribed in paragraph (b), the Independent Member for Clark, may, once in every four sitting weeks, call on an item of Private Members Business at Noon to 1.00 p.m.”

(2) Sessional Order 48A is amended by leaving out “and two by other members” and insert instead, “, two by Members of the Greens and one by the Independent Member for Clark if such Member seeks the call”. (The Minister for Infrastructure and Transport)

A debate arose thereupon.

An Amendment was proposed by Ms *O'Connor* after clause (2) by adding the following new clause:-

(3) The following new Sessional Order is inserted after Sessional Order 48A:-

48B Maximum time for Questions and Answers

Notwithstanding the provisions of standing order 48, the Speaker shall ensure the time taken to ask a Question does not exceed one minute, and the time taken to answer a Question does not exceed four minutes.

And the Question being proposed – That the Amendment be agreed to;

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 3

Ms Hickey
Ms O'Connor
Dr Woodruff (Teller)

NOES 20

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Mr Ferguson
Mr Gutwein
Ms Haddad
Mr Hodgman
Ms Houston
Mr Jaensch
Mr O'Byrne
Ms Ogilvie
Mr Rockliff
Mrs Rylah
Mr Shelton
Ms Standen
Mr Tucker
Ms White
Ms Dow (Teller)

So it passed in the Negative.

And the Main Question being put;

It was resolved in the Affirmative.

21 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That Mr *O'Byrne* have leave to make a Motion without Notice. (Mr *O'Byrne*)

22 PUBLIC ACCOUNTS, PARLIAMENTARY STANDING COMMITTEE OF. - *Ordered*, That the mover be appointed to serve on the Parliamentary Standing Committee of Public Accounts in accordance with section 3 subsection (3) of the Public Accounts Committee Act 1970 (No. 54). (Mr *O'Byrne*)

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

MR PRESIDENT

In accordance with the provisions of section (3) subsection 3 of the Public Accounts Committee Act 1970 (No. 54), the following Member has been appointed on the part of the House of Assembly to serve on the Parliamentary Standing Committee of Public Accounts:-

Mr O'Byrne.

House of Assembly, 24 September 2019

SUE HICKEY, *Speaker*.

24 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That Ms O'Connor have leave to make a Motion without Notice. (Ms O'Connor)

25 HOUSE OF ASSEMBLY RESTORATION BILL, SELECT COMMITTEE ON: TIME FOR BRINGING UP REPORT. - *Ordered*, That time for bringing up the report of the Select Committee on the House of Assembly Restoration Bill be extended until 12 November next. (Ms O'Connor)

26 MATTER OF PUBLIC IMPORTANCE: COMMUNITY SAFETY. - Dr Broad, in accordance with Standing Orders, moved - That the House take note of the following matter:

Community Safety.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

27 BILL NO. 36. - The Order of the Day being read for the Second reading of the Justice Legislation Amendment (Organisational Liability for Child Abuse) Bill 2019.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (The Minister for Justice)

A Debate arose thereupon.

28 SUSPENSION OF SITTING. - At One o'clock the Speaker left the Chair. At half-past Two o'clock the Speaker resumed the Chair.

29 BILL NO. 36. - And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time, and in accordance with Standing Orders, there being no Member wishing to speak to the Clauses in the Committee of the whole House;

Ordered, That the Bill be now read the Third time.

And the Bill was, accordingly, read the Third time.

30 BILL NO. 36. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled "A Bill for an Act to amend the Civil Liability Act 2002 in relation to the liability of organisations for child abuse and to amend the

Limitation Act 1974 in relation to settlements of certain actions in respect of child abuse, and for related purposes”,

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

House of Assembly, 24 September 2019.

SUE HICKEY, *Speaker.*

31 BILL NO. 33. - The Order of the Day being read for the Second reading of the Genetically Modified Organisms Control Amendment Bill 2019.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (The Minister for Primary Industries and Water)

A Debate arose thereupon.

And Ms *O'Connor* was addressing the Chair.

32 ADJOURNMENT. - The time being Six o'clock, the Speaker proposed - That the House do now adjourn and called for issues to be raised;

The House adjourned at fifty-two minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day except Ms *O'Byrne*.