



LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 12

WEDNESDAY, 22 MAY 2019

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

2 PAPER.— The Clerk of the Council laid upon the Table the Department of Primary Industries, Parks, Water and Environment - Ministerial Portfolio of Primary Industries and Water. Fees set in accordance with the Fee Units Act 1997 to apply from 1 July 2019.

3 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice in relation to Deputy Chairs of Committees.

4 DEPUTY CHAIRS OF COMMITTEES.— *Ordered*, That Ms Rattray be appointed Deputy Chair of Committees and Mr Valentine be appointed Second Deputy Chair of Committees of this Council. (Mrs *Hiscutt*)

5 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 11.03 o'clock a.m. and resumed at 12.24 o'clock p.m.

6 APPROPRIATION BILLS (NO.1 AND NO.2) 2019 — TREASURER'S BUDGET SPEECH.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly having agreed to 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 all Members of the Legislative Council to attend in the House of Assembly Chamber following the First reading of the Appropriation Bills (No. 1 and No.2) 2019 for the purpose of listening to the speech by the Treasurer in relation to the Tasmanian Budget 2019-20.

House of Assembly, 22 May 2019

S. HICKEY, *Speaker*

7 BILL NO. 51 of 2018. — The Security and Investigations Agents Amendment Bill 2018 was read the Third time and passed.

8 BILL NO. 51 of 2018.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to the Bill intituled, 'A Bill for an Act to amend the *Security and Investigations Agents Act 2002*'.

Legislative Council, 22 May 2019

C.M. FARRELL, *President*

9 BILL NO. 52 of 2018.— The Order of the Day was read for the consideration of the *Supreme Court Civil Procedure Amendment 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 Amendment was read the First time.

The said Amendment, being read the Second time, was 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.

10 BILL NO. 52 of 2018.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council having this day agreed, with Amendment, to a Bill intituled — ‘A Bill for an Act to amend the *Supreme Court Civil Procedure Act 1932*’,

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

Legislative Council, 22 May 2019

C.M. FARRELL, *President*

11 BILL NO. 9.— The Order of the Day was read for the Second reading of the Consolidated Fund Appropriation (Supplementary Appropriation for 2018-19) Bill 2019.

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

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 and 2 agreed to.

Clause 3 postponed

Clauses 4 and 5 agreed to.

Postponed Clause 3 further considered agreed to.

Title agreed to.

Bill to be reported without Request and without Amendment.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Request and without Amendment.

12 BILL NO. 7.— The Order of the Day was read for the Second reading of the Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) Bill 2019.

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

A Debate arose thereupon.

13 SITTING SUSPENDED.— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

14 QUESTION TIME.— The President called for Questions without Notice. There were four Questions asked.

15 BILL NO. 7.— The Council resumed the Debate on the Question, That the Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) Bill 2019 be now read the Second time.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 3 agreed to.

Clause 4 Amendments proposed (Ms *Lovell*)

First amendment

Page 4.

Leave out “section is”.

Insert instead “sections are”.

Second amendment

Page 5, after proposed new section 28A.

Insert the following proposed new section:

28B. Review of operation of section 28A

- (1) The Minister must cause a review of the operation of section 28A to be undertaken and completed as soon as practicable after the end of –
 - (a) the 12-month period from the commencement of this section; and
 - (b) each 2-year period after the completion of each previous review of the operation of section 28A.
- (2) The person who undertakes the review must provide a written report of the review to the Minister as soon as practicable after the review is completed.
- (3) The Minister must cause the written report of the review to be laid before each House of Parliament within 10 sitting-days after the report is provided to the Minister.

Amendments proposed to the main proposed Amendments. (Mr *Dean*)

First amendment

Page 1 of the proposed amendment, proposed new section 28B, subsection (1), paragraph (a)

Leave out “12 month period”.

Insert instead “2-year period”

Second amendment

Same page of proposed amendments, same proposed new section, same subsection, paragraph (b)

Leave out “2-year period”

Insert instead “5-year period”

And the Question being put, That the Amendments to the main proposed Amendments be agreed to.

Committee divided.

AYES 4

NOES 10

Mr *Armstrong*

Ms *Armitage*

Mr *Dean* (Teller)

Ms *Forrest*

Mr *Finch*

Mr *Gaffney*

Ms *Ratray*

Mrs *Hiscutt*

Ms *Howlett*

Ms *Lovell*

Ms *Siejka*

Mr *Valentine* (Teller)

Ms *Webb*

Mr *Willie*

So it passed in the Negative.

Clause 4 as read further considered.

And the Question being put, That the main proposed Amendments be agreed to,

Committee divided.

AYES 6

NOES 7

Mr *Finch*

Ms *Armitage*

Ms *Lovell* (Teller)

Mr *Armstrong*

Ms *Siejka*

Mr *Dean*

Mr *Valentine*

Mr *Gaffney*

Ms *Webb*

Mrs *Hiscutt*

Mr *Willie*

Ms *Howlett*

Ms *Ratray* (Teller)

So it passed in the Negative.

Clause as read, agreed to.

Clauses 5 and 6 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

16 BILL NO. 66 of 2018.— The Order of the Day was read for the Second reading of the Short Stay Accommodation 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.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 10 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

17 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 am on Thursday, 23 May 2019.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

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

The Council adjourned at 6.59 o'clock p.m.

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

Briefings:

- *Battery of the Nation and Marinus (second interconnector) initiatives*
- *Short Stay Accommodation Bill 2018*
- *Health Miscellaneous Amendments Bill 2019*