WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 109

WEDNESDAY, DECEMBER 10 2003

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The President, Hon John Cowdell, took the Chair and read prayers.

2. Petition

Hon Dee Margetts presented a petition from 156 residents of Western Australia requesting the Legislative Council to consult with the electorate and inquire into all aspects of the Sea Swap program with the US Navy. (Tabled paper 1825).

3. Papers

The following Papers were laid on the Table by -

Leader of the House

Reports -

Salaries and Allowances Tribunal Report on the Remuneration of Judges, District Court Judges, Masters of the Supreme Court, Magistrates and Members of the Anti-Corruption Commission (04/12/2003) 1821

Parliamentary Secretary to the Minister for Planning and Infrastructure

Ministerial Approvals -

Midland Redevelopment Act 1999 - Works Infrastructure Pty Ltd for works being Helena West Forward Works Contract Number DC100-38..... 1822

Parliamentary Secretary to the Minister for Tourism

Annual Reports -

Swan Bells Foundation Inc., The (2002-2003) (Date received 09/12/2003)..... 1823

Tourism Commission, Western Australian [WATC] (2002-2003) (Date received 09/12/2003) 1824

4. Standing Committee on Public Administration and Finance - Fourth Report - The Transfer of Management of the Fremantle Cemetery to the Metropolitan Cemeteries Board

Hon Barry House presented the Fourth Report of the Standing Committee on Public Administration and Finance in relation to the Transfer of Management of the Fremantle Cemetery to the Metropolitan Cemeteries Board. (Tabled paper 1826).

Hon Barry House moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

5. Independent Schools and Governments Funding Level of Schools

Hon Alan Cadby: To move on the next day of sitting -

> That this House condemns the Minister for Education and Training for his continual attacks on independent schools and the rights of parents to choose the most appropriate school for their children.
>
> It also notes the misinformation propagated by the Minister on aspects of the Government funding levels of schools.

6. Genetically Modified Crops Free Areas Bill 2003

The Orders of the Day for the consideration of the Committee's report upon this Bill having been read.

The Minister for Agriculture, Forestry and Fisheries moved, That the report be adopted.

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

7. Electricity Corporations Bill 2003, Electricity Legislation (Amendments and Transitional Provisions) Bill 2003 and Electricity Industry Bill 2003

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills.

Debate resumed.

Hon Dee Margetts, by leave, tabled a document in relation to the Western Power Corporation's contribution to State Revenue. (Tabled paper 1827).

Debate resumed.

Interruption pursuant to Sessional Orders.

8. Submission No. 10 of 2003 - Proposal for Amendment of Class "A" Reserve 1736 - Kojonup Location 9212 - Disallowance

Motion No. 31 having been called.

Debate resumed on the motion of Hon Dee Margetts as follows -

> That *Submission No. 10 of 2003 - Proposal for Amendment of Class "A" Reserve 1736* tabled in the Legislative Council on September 9 2003 under section 42(4)(c) of the *Land Administration Act 1997*, be and is hereby disallowed. (Tabled paper 1383).

Question - put and negatived.

9. Standing Order 230 - Amendment

Hon Dee Margetts pursuant to notice, moved -

That Standing Order 230 is amended by inserting after paragraph (b) the following paragraph - "

(c) A Bill that has a schedule containing the text of an agreement to which the State is a party that, upon its enactment, would ratify and give statutory effect to that agreement stands referred to the *Environment and Public Affairs Committee* when debate is adjourned under paragraph (a).

".

Debate ensued.

Question - put.

The House divided.

Ayes (5)

Hon Dee Margetts	Hon Giz Watson
Hon Jim Scott	Hon Robin Chapple *(Teller)*
Hon Christine Sharp	

Noes (24)

Hon Alan Cadby	Hon Frank Hough
Hon George Cash	Hon Barry House
Hon Kim Chance	Hon Robyn McSweeney
Hon Murray Criddle	Hon Norman Moore
Hon Bruce Donaldson	Hon Simon O'Brien
Hon Kate Doust	Hon Louise Pratt
Hon Adele Farina	Hon Ljiljanna Ravlich
Hon John Fischer	Hon Barbara Scott
Hon Jon Ford	Hon Bill Stretch
Hon Peter Foss	Hon Derrick Tomlinson
Hon Graham Giffard	Hon Ken Travers
Hon Ray Halligan	Hon Ed Dermer *(Teller)*

Question thus negatived.

10. Submission No. 17 - Excision from Class "A" Reserve 29813 - Wireless Hill Park, Ardross - Disallowance

Hon Barbara Scott pursuant to notice, moved -

That *Submission No. 17 of 2003 - Excision from Class "A" Reserve 29813 - Wireless Hill Park, Ardross* tabled in the Legislative Council on September 11 2003 under section 42(4)(a) of the *Land Administration Act 1997*, be and is hereby disallowed.

Debate ensued.

Interruption pursuant to Sessional Orders.

11. Standing Committee on Uniform Legislation and General Purposes - Thirteenth Report - Human Reproductive Technology Amendment Bill 2003 and Human Reproductive Technology Amendment (Prohibition of Human Cloning) Bill 2003

Hon Adele Farina presented the Thirteenth Report of the Standing Committee on Uniform Legislation and General Purposes in relation to the *Human Reproductive Technology Amendment Bill 2003* and *Human Reproductive Technology Amendment (Prohibition of Human Cloning) Bill 2003*. (Tabled paper 1828).

Hon Adele Farina moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

12. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Minister for State Development tabled documents in relation to Mining Licence for mining by Cable Sands at Ludlow State Forest No. 2 in response to a question without notice asked by Hon Christine Sharp. (Tabled paper 1829).

The Leader of the House tabled a copy of the Builders' Registration Board Inspectors Code of Conduct in response to a question without notice asked by Hon Simon O'Brien. (Tabled paper 1830).

13. Member's Statements

Statements were taken.

Hon Dee Margetts, by leave, tabled a copy of a submission of the Australian network of environmental defender's offices - Submission on the Australia - U.S. Free Trade Agreement . (Tabled paper 1831).

14. Adjournment

Pursuant to Sessional Order 2(2) the House adjourned at 6.04pm until Thursday, December 11 2003 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Sue Ellery and Hon Paddy Embry.

L B MARQUET	**HON JOHN COWDELL**
Clerk of the Legislative Council	President of the Legislative Council