

1995-96

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 54

WEDNESDAY, 19 JUNE 1996

1 The Assembly met at 10.30 a.m., pursuant to adjournment. A quorum of Members not being present, the Speaker (Mr Cornwell) ordered the bells to be rung. A quorum having been formed the Speaker took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 **PETITION**

The Clerk announced that the following Member had lodged a petition for presentation:

Mr Hird, from 29 residents, requesting that the lease and development application for the community sporting facilities in McKellar be approved.

3 **SUSPENSION OF STANDING ORDERS - MOTION OF CENSURE**

Mr Berry moved - That so much of the standing orders be suspended as would prevent Mrs Carnell (Minister for Health and Community Care) from moving her censure motion if she so wishes.

Debate ensued.

Question - put and passed, with the concurrence of an absolute majority.

4 **SUSPENSION OF STANDING ORDERS MOVED - MOTION OF CENSURE**

Mr Humphries (Manager of Government Business) having sought leave to move a motion and leave not having been granted -

Mr Humphries moved - That so much of the standing orders be suspended as would prevent Mr Humphries from moving a motion of censure against Mr Berry.

Question - put.

The Assembly voted -

Ayes, 8

Noes, 7

Mrs Carnell	Mr Kaine	Mr Berry	Ms Tucker
Mr Cornwell	Mr Moore	Ms Follett	Mr Whitecross
Mr De Domenico	Mr Osborne	Ms Horodny	Mr Wood
Mr Humphries	Mr Stefaniak	Ms McRae	

The Speaker declared that the motion had not been carried as an absolute majority of Members had not voted in its favour as required by standing order 272.

5 MOTION OF CENSURE - LEAVE NOT GRANTED

Mr Humphries (Manager of Government Business) again sought leave to move a motion of censure against Mr Berry.

Objection being raised, leave not granted.

6 SUSPENSION OF STANDING ORDERS - MOTION OF CENSURE

Mr Humphries (Manager of Government Business) moved - That so much of the standing orders be suspended as would prevent Mr Humphries from moving a motion of censure against Mr Berry.

Debate ensued.

Question - put and passed, with the concurrence of an absolute majority.

7 MOTION OF CENSURE OF MEMBER

Mr Humphries (Manager of Government Business) moved - That this House censure Mr Berry for misleading it as to the number of operations conducted in ACT public hospitals between November 1993 and March 1994.

Mr Humphries, by leave, was granted an extension of time.

Debate ensued.

Papers: Mrs Carnell (Minister for Health and Community Care) presented the following papers:

Woden Valley Hospital - Theatre activities -

Hospital Summary - Patient Activity as at August 1994 - Table 1.

Main theatre and minor theatre procedures - 1993-94 - Tables (2).

Mrs Carnell, by leave, was granted an extension of time.

Debate continued.

Mr Berry, by leave, was granted an extension of time.

Mr Berry, by leave, again addressed the Assembly.

Paper: Mr Berry, by leave, presented the following paper:

Canberra's public hospitals - Request for briefing - Copy of letter from Mr Wayne Berry, MLA to Mr David Butt, Chief Executive Officer, ACT Department of Health, dated 18 June 1996.

Mr Whitecross (Leader of the Opposition) moved the following amendment: Omit the words after "censure", substitute "Mrs Carnell and the Department of Health and Community Care for misleading the Assembly and the community by publishing false and misleading figures in relation to the number of operations conducted in ACT public hospitals".

Mr Whitecross, by leave, was granted an extension of time.

Debate continued.

Amendment negatived.

Question - That the motion be agreed to - put.

The Assembly voted -

Ayes, 6

Noes, 9

Mrs Carnell

Mr Kaine

Mr Berry

Mr Osborne

Mr Cornwell

Ms Follett

Ms Tucker

Mr De Domenico

Ms Horodny

Mr Whitecross

Mr Hird

Ms McRae

Mr Wood

Mr Humphries

Mr Moore

And so it was negatived.

8 QUESTIONS

Questions without notice were asked.

9 QUESTION ON NOTICE NO. 231 - ANSWER - EXPLANATION

Mr Moore, pursuant to standing order 118A, asked Mr Humphries (Minister for the Environment, Land and Planning) for an explanation concerning the answer to question on notice No. 231.

Mr Humphries gave an explanation.

10 PAPERS

Mr Whitecross (Leader of the Opposition), by leave, presented the following papers:

Eaglehawk Hill - Retreat - 15 - 17 December 1995 - Copies of -

Facsimile Transmission Control Sheet, dated 15 January 1996.

List of attendees.

Strategy weekend - Notes (3 pages).

11 KIPPAX COMMUNITY WORKSHOP - CONSULTATION AND ACTION -REPORT AND GOVERNMENT RESPONSE - PAPERS

Mr Humphries (Minister for the Environment, Land and Planning) presented the following papers:

Kippax Community Workshop Consultation and Action Report, dated December 1995.

Government response, dated April 1996.

12 SUSPENSION OF STANDING ORDERS - CONSIDERATION OF PRIVATE MEMBERS' BUSINESS

Ms Tucker moved - That so much of the standing orders be suspended as would prevent private Members' business having precedence over all other business for 2 hours and that it be called on forthwith.

Question - put and passed, with the concurrence of an absolute majority.

13 TERRITORY OWNED CORPORATIONS (AMENDMENT) BILL 1996

Ms Tucker, pursuant to notice, presented a Bill for an Act to amend the *Territory Owned Corporations Act 1990*.

Title read by Clerk.

Ms Tucker moved - That this Bill be agreed to in principle.

Debate adjourned (Mr De Domenico - Minister for Urban Services) and the resumption of the debate made an order of the day for the next sitting.

14 EDUCATION DISPUTE

Mr Berry, pursuant to notice, moved - That this Assembly expresses its regret at the recent attempt by Mr Stefaniak, the Minister for Education and Training, to pit sports workers and volunteers against teachers in the long running education dispute.

Furthermore the Assembly expresses its concern over the inability of Mr Stefaniak to settle his dispute with the Australian Education Union with all its impacts on the school community in the ACT.

Debate ensued.

Mr Stefaniak (Minister for Education and Training) moved the following amendment: Omit all words after "regret" and substitute "and concern at the impact on the school community in the ACT of the

bans on certain activities put in place by the Australian Education Union and calls on the Australian Education Union to lift the bans immediately”.

Mr Stefaniak, by leave, was granted an extension of time.

Debate continued.

Mr Moore, by leave, was granted an extension of time.

Debate continued.

Mr Humphries (Attorney-General), by leave, was granted an extension of time.

Debate continued.

Ms Tucker addressing the Assembly -

Adjournment negatived: It being 5 p.m. - The question was proposed - That the Assembly do now adjourn.

Mrs Carnell (Chief Minister) requiring the question to be put forthwith without debate -

Question - put and negatived.

Debate continued.

Mrs Carnell (Chief Minister), by leave, was granted an extension of time.

Debate continued.

Question - That the amendment be agreed to - put.

The Assembly voted -

Ayes, 6		Noes, 9	
Mrs Carnell	Mr Stefaniak	Mr Berry	Mr Osborne
Mr Cornwell		Ms Follett	Ms Tucker
Mr De Domenico		Ms Horodny	Mr Whitecross
Mr Humphries		Ms McRae	Mr Wood
Mr Kaine		Mr Moore	

And so it was negatived.

Question - That the motion be agreed to - put and passed.

15 LEAVE OF ABSENCE TO MEMBER

Mr Berry moved - That leave of absence for 19 and 20 June 1996 be given to Ms Reilly.

Question - put and passed.

16 ADJOURNMENT

Mr Humphries (Manager of Government Business) moved - That the Assembly do now adjourn.

Debate ensued.

It being 5.30 p.m. the Speaker interrupted the debate in accordance with standing order 34 -

Mr Whitecross (Leader of the Opposition), by leave, addressed the Assembly.

At 5.35 p.m. the Speaker adjourned the Assembly until tomorrow at 10.30 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Ms Reilly (on leave).

M.J. McRAE
Clerk of the Legislative Assembly