

The Assembly met at 2 p.m.

INTRODUCTION OF GUESTS

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Solomon: — Thank you, Mr. Speaker. I rise pursuant to rule 11 to present a petition to the Legislative Assembly on behalf of many residents of the people of this province, Mr. Speaker.

The petitioners are urging the provincial government to reverse its decision to impose the 7 per cent provincial GST (goods and services tax). Mr. Speaker, if I might, I'd like to read the prayer at the beginning:

To the Honourable Legislative Assembly of Saskatchewan in Legislature assembled:

The petition of the undersigned residents of the Province of Saskatchewan humbly Sheweth:

That the Provincial Government does not have a mandate from the people of Saskatchewan to impose the major tax increase which would result from its proposed provincial GST.

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to urge the Provincial Government to stop the provincial GST until the people of the province have had an opportunity to pass judgement on it in a provincial election.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, these petitioners are from the communities of Bienfait in Estevan, for the Premier's riding. It is my honour to present to this Assembly this petition this afternoon.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have other petitioners who are wishing and praying the same, Mr. Speaker. They are from the communities of Pilot Butte, from Lumsden, from Estlin, and from the neighbourhoods in Regina of Whitmore Park, Albert Park, and Coronation Park. Mr. Speaker, these residents are both from the city and from rural communities and they have asked us to present this petition on their behalf opposing the GST, Mr. Speaker.

Some Hon. Members: Hear, hear!

The Speaker: — Why is the hon. member on his feet?

Hon. Mr. Martin: — Mr. Speaker, I seek leave to introduce some guests in the . . . (inaudible) . . .

The Speaker: — The hon. member has sought leave to introduce guests. As I look into the galleries, we have a good number of guests, and perhaps I could, on behalf of members, ask for leave of all members who wish to introduce guests. Thank you.

Leave granted.

Hon. Mr. Martin: — Mr. Speaker, I have two groups I'd like to introduce to you today, and through you to all members of the House. They are both in your Speaker's gallery, Mr. Speaker. First of all, let me introduce the school children, Mr. Speaker. They are from Douglas Park School, grades 5 and 6, 22 of them, Mr. Speaker up in your gallery on the west side of the Speaker's gallery. Their teacher is Patty Cherepuschak; chaperons, Joanne Reitmeier, Bob Fry, and Linda Thorseth.

I'll have an opportunity to speak with them in a little while at 2:30, have our picture taken, and speak with them and discuss what is going on in the House here today. Please welcome the students from Douglas Park School.

Hon. Members: Hear, hear!

Hon. Mr. Martin: — An, Mr. Speaker, also on the ongoing process to inform government employees on the activities in the Legislative Building, we have today in your gallery, 22 public service people, professionals with the Public Service Commission in the province; eight from Department of Highways and Transportation; five from Finance; two from Rural Development; five from Social Services; and five from SPMC (Saskatchewan Property Management Corporation), Mr. Speaker.

They've had an opportunity during the last hour or so to be informed on the business of the Legislative Assembly, as well as what goes on in the Legislative Assembly outside this house, and also have a tour of this wonderful building that we have. It's a wonderful opportunity for them to become more informed of what the government process is, other than just their own department.

So please welcome all members, our professionals from the Public Service Commission in your Speaker's gallery, Mr. Speaker.

Hon. Members: Hear, hear!

Mr. Trew: — Thank you, Mr. Speaker. I want to join my colleague across the floor in welcoming these professional civil servants to the proceedings of the Legislative Assembly here in Saskatchewan. It is my hope that you enjoy the proceedings today as you witness democracy at its finest.

Hon. Members: Hear, hear!

Mr. Mitchell: — Thank you, Mr. Speaker. I would like to introduce to you and to members of the Assembly 60 grade 7 and 8 students from Vincent Massey School in Saskatoon. They're seated in the west gallery behind me, Mr. Speaker. They're accompanied by their teachers, Mr. Tad Cherkewich and Mr. Morris Sulatyski.

And I'll be . . . anyway, I'll be apologizing for the pronunciation of the name and meeting them for drinks after the session is over. Thank you, Mr. Speaker.

Hon. Members: Hear, hear!

Hon. Mr. Devine: — Mr. Speaker, I want to take this opportunity to introduce to you and through you to the members of the legislature, Eloise Opheim, who has been instrumental and a major force in PRIDE (Parent Resources Institute for Drug Education Inc.) Canada, not only in Saskatchewan but across the nation. She's seated in your gallery.

She's been instrumental in helping an awful lot of young people deal with various kinds of substance abuse, and she has been an inspiration to people from coast-to-coast and internationally. And I'd like to have all members welcome her here today, Mr. Speaker.

Hon. Members: Hear, hear!

Ms. Atkinson: — Thank you very much, Mr. Speaker. I too want to welcome Eloise Opheim to the legislature. Eloise has spent a good deal of time in the city of Saskatoon and across the county, working on behalf of young people and their families who are faced with a very real problem of drug and alcohol addiction. Eloise's work has been recognized in our city when she was named YWCA woman of the year. As well, her work has been recognized nationally.

And I know that our leader has had some involvement with PRIDE Canada and the work that they're doing. So I, along with my colleagues, want to welcome you to the legislature and wish you all the best as you work on behalf of Saskatchewan and Canada's young people.

Hon. Members: Hear, hear!

Mr. McLaren: — Thank you very much, Mr. Speaker. It's my pleasure to introduce to you, and to all members of the Assembly, two guests that we have with us this afternoon. I would ask them to stand — they're in your gallery, Mr. Speaker — as I introduce them. Miss Sophie Mas from Montpellier in France — she's attending the University of Victoria and taking public administration. And with her Mr. Richard Hick who we understand is originally from Regina. He's taking political science and also in the University of Victoria.

We want to welcome you to Saskatchewan and to Regina and especially to the Assembly here this afternoon. We hope that your attendance here will be educational, informative. And we understand also that they are holidaying in Saskatchewan.

So I'd ask all members to please welcome these two guests to our Assembly this afternoon.

Hon. Members: Hear, hear!

PRESENTING PETITIONS (continued)

Mr. Solomon: — Thank you, Mr. Speaker. Pursuant to rule 11, I continue my right in this Assembly, Mr. Speaker, to present on behalf of many residents of the province of Saskatchewan a petition opposing the implementation of the provincial GST prior to the election.

Mr. Speaker, I have further names from the community of Estevan and from the Premier's home constituency of

Estevan, who have asked me on their behalf to present this petition in opposition to the tax. I present it on the Table, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have further residents of Saskatchewan from the communities of Hanley, located in the Arm River constituency I believe; and Martensville which I believe is in Rosthern; and residents of Saskatoon. These residents both from rural districts and urban districts are uniting in opposition to this tax, Mr. Speaker. It's my pleasure on their behalf to present the petition to the Assembly.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have another petition with many names on it from the constituency of Regina North West, which I represent, and the neighbourhoods of Maple Ridge and Normanview specifically in that riding, as well as from the community in the neighbourhood of Glencairn in North East Regina and many residents from central Regina as well. I present this petition to the Assembly.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have further names to table in this Assembly on behalf of residents of Saskatchewan. These citizens, Mr. Speaker, as well are from the Premier's home constituency located in the city of Estevan, and the community of Bienfait. It is my honour, Mr. Speaker, and privilege, on their behalf, to present to this Assembly the names on these petitions.

Mr. Speaker, I have another petition requesting the same as the previous petitions. These citizens are from again the constituency of Regina North West and the neighbourhoods of Normanview, Sherwood Estates, and Lakeridge, which are located in the north west part of the city of Regina. It is my privilege on behalf of my constituents to table this petition.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have further names to present to this Assembly. These people reside in the communities of Moose Jaw, Saskatoon, and Regina — and pretty well all neighbourhoods of Saskatoon. They are joining, Mr. Speaker, again in unity and opposition to this tax, both from south-central and north-central Saskatchewan. I present this petition to the Assembly.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have petitioners who have signed this petition — people who are living in the communities of Alvena, Wakaw, Hagen, Saskatchewan, Bellevue, and St. Louis. All of these residents, Mr. Speaker, reside in constituencies outside of the urban districts, and they are uniting, Mr. Speaker, with those in the cities in opposing this tax. It is my honour and privilege to present on their behalf, to you and to this Assembly, their petition.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have another petition with signatures on it from communities . . . residents who reside in communities of Central Butte, which is in the constituency of Thunder Creek, Minister of Energy's riding. I have citizens who have signed this petition who are from Dundurn, who I believe are in the minister from Rosthern's constituency, as well as many residents, Mr. Speaker, who reside in the city of Saskatoon.

Once again, these people living in agricultural districts and in the city of Saskatoon have united in opposition to this tax and have asked me to present it on their behalf. I do so, Mr. Speaker, with honour.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have another petition with a number of names on it. These citizens of Saskatchewan oppose this tax. They are from the communities of St. Louis, from the community of Cudworth, from Hoey, from Vonda, from Bellevue, from Domremy, and from the city of Prince Albert. Again, Mr. Speaker, citizens united both from rural districts and urban districts wishing to indicate to this government that they do not want this tax passed until they have an opportunity to pass judgement.

The Speaker: — Order, order. Order, order, order. I have been listening to the hon. member and, as on previous days, I have requested that members not repeat or make constant references to the prayer. Refer to it once; present your petitions.

Mr. Solomon: — Thank you, Mr. Speaker. I appreciate your ruling. Mr. Speaker, I have another petition from citizens from around the province who've asked me to make this presentation to the Assembly. These people live in the community of Birch Hills, in the community of Wakaw, and again, Mr. Speaker, in the community of Domremy. And it's my honour, Mr. Speaker, on their behalf, to present to you and lay on the Table their petition.

Mr. Speaker, I have another petition from residents in Saskatchewan. These people, Mr. Speaker, reside in the communities of Macoun and Estevan, which are located in the Premier's riding, Mr. Speaker. They have asked the opposition to present on their behalf their signatures to this Assembly in opposition to the tax.

Mr. Speaker, I have another petition from citizens in Saskatchewan who reside in the communities of Batoch, St. Benedict, from Middle Lake, from Hoey, from Wakaw, and from the city of Prince Albert. Again, Mr. Speaker, rural and urban constituents and residents in this province uniting and requesting that they have their signatures made public in this Assembly.

I have other citizens, Mr. Speaker, who have signed a petition. They reside in the communities of St. Louis, Domremy, Bellevue, and the city of Saskatoon. Once again, Mr. Speaker — urban and rural residents uniting on the same petition and asking us to present it to the Assembly, and I do so with honour.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have a further petition from residents who reside in Torquay, Saskatchewan, and in Estevan. Both of these communities are in the Premier's constituency. They have asked the opposition to present this petition on their behalf and I am honoured and privileged to do so.

Mr. Speaker, I have another petition that is signed by a number of residents in Saskatchewan. These people, Mr. Speaker, reside in Lampman, which is in the Estevan constituency, in the city of Estevan, and the city of Moose Jaw. Mr. Speaker, these residents, both in the Premier's riding and nearby have united again and asked us to present this petition on their behalf.

Mr. Speaker, I have another petition signed by a number of residents . . .

The Speaker: — Order. Why is the hon. member on his feet?

Hon. Mr. Hodgins: — Mr. Speaker, I would like to make a motion that the House now proceed to the daily oral question period.

The Speaker: — Order, order. Another member has the floor at this time and I am unable to recognize you at this time.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have another petition to present on behalf of the people of Saskatchewan to this Assembly. These citizens, Mr. Speaker, reside in the communities of Bienfait and Estevan. Mr. Speaker, these residents reside in the Premier's constituency and they have asked us to present on their behalf the petition which is now done, sir.

Mr. Speaker, I have here another petition on behalf of many constituents in Saskatchewan and many residents. They reside in the community of Wilkie, in the community of Waldheim, Saskatchewan; in Stewart Valley, and in the city of Saskatoon. Mr. Speaker, these residents are residing in both urban and rural districts of this province, and are uniting in requesting us to present on their behalf this petition in opposition to the tax.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have another petition signed by many residents of the province of Saskatchewan. These people reside, Mr. Speaker, in the constituency of Estevan which is the Premier's constituency. They have requested that their names go on record in this Assembly in opposition to this tax. It's my honour, Mr. Speaker, to present on their behalf this petition.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have another petition to present to this Assembly that is signed by many residents. These people reside in the communities of St. Louis,

Saskatchewan; in Prince Albert, in La Ronge, and other districts around the city of Prince Albert. Mr. Speaker, they again are uniting both in the North and in the rural areas in this province in requesting that we present this petition on their behalf. It is my honour to do so.

Mr. Speaker, I have the privilege to present to you another petition which is signed by many residents of the people of Saskatchewan who reside in Saskatchewan. These people live in Prince Albert, and districts surrounding Prince Albert like Shellbrook and Crutwell, Mr. Speaker. Again they are uniting, both urban and rural, in requesting us to get this petition tabled in this Assembly. It is my honour, Mr. Speaker, to do so.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have another petition which is signed by many individuals, or I should say some individuals, and these people reside in the city of Regina. It is my duty, Mr. Speaker, and my honour, to present on their behalf this petition to the Assembly.

Some Hon. Members: Hear, hear!

Mr. Solomon: — Mr. Speaker, I have another petition which is signed by residents of the people of this province. These individuals reside in the city of Regina as well as in the community of Milestone, and the city of Regina, is basically the east end and the central part of the city of Regina. Again, Mr. Speaker, urban dwellers and rural dwellers uniting in signing this petition, and I'm presenting it on their behalf.

Some Hon. Members: Hear, hear!

The Speaker: — Why is the hon. member on his feet? Order, order, order. Order. Order. Why is the hon. member on his feet?

Hon. Mr. Hodgins: — Mr. Speaker, I wish to raise a point of order, please.

The Speaker: — What is your point of order?

Hon. Mr. Hodgins: — Mr. Speaker, I have done considerable research with respect to what has been happening in this legislature for the past number of days, and on the issue of petitions, I would like to refer to Beauchesne's 6th Edition of *Parliamentary Rules and Forms*, item no. 346. And what that states, Mr. Speaker, is that:

The use of dilatory tactics during Routine Proceedings can be an abuse, and the Speaker may, after consideration of the specific circumstances, permit motions which would end such an abuse.

And, Mr. Speaker, I would like to speak to you on some justifications on why I believe that it has been clearly shown and demonstrated to this Assembly that we have gone beyond the normal cases of rights and privileges, crossed that line to a situation of abuse, Mr. Speaker.

To recap these in short order for you, Mr. Speaker, I must

say that the government, and I, as House Leader, in my humble view, Mr. Speaker, have shown considerable latitude. And I believe this House has shown considerable latitude and patience.

Some Hon. Members: Hear, hear!

The Speaker: — Order, order. Order. I'm going to ask hon. members to co-operate. The Government House Leader is raising a point of order. No doubt the Opposition House Leader or perhaps other members may wish to speak to it, and perhaps some other government members as well. So I think that we should give him the opportunity to present his point of order and co-operate so that each individual has that courtesy offered to them.

Hon. Mr. Hodgins: — Thank you, Mr. Speaker, for allowing me to state my case with respect to this issue. As I was stating, Mr. Speaker, I feel that this Assembly has shown great latitude to members opposite in allowing them to present petitions, in allowing them their rights to speak. And I will recap some of the events, Mr. Speaker.

Last week we had a member report on a standard committee report from a committee called Public Accounts. The rules according to Beauchesne's parliamentary guide would say that it is the custom for a member to give a succinct report when it refers to reports from committees. This House allowed the member opposite an entire sitting day on a unanimous report. I believe that showed patience, that showed latitude, Mr. Speaker.

We have allowed members across the floor to present petitions and we still do, Mr. Speaker. Only the format is at question, Mr. Speaker. I believe that this Assembly has shown again great latitude in allowing members to give petitions one page at a time, sometimes one name at a time, sometimes allowing some debate, sometimes allowing time to even sign the petition. Mr. Speaker, I feel that that has gone beyond the case of a right or a privilege and crossed the line to clear abuse or obstruction.

We have seen members opposite, contrary to the traditions of any parliament, ring bells to adjourn the Assembly before any concrete business has been conducted.

Mr. Speaker, members at large in Saskatchewan, members of the media, don't know from day to day whether there will be question period or whether there will not be a question period.

Mr. Speaker, the public of Saskatchewan does not have confidence today whether or not actual government business will be conducted in this institution. Mr. Speaker, I believe that this is contrary to the intent and the rules and the practices of this Assembly.

When the rules of our own Saskatchewan legislature were made, Mr. Speaker, they talked about question period starting no later than five minutes after the beginning of the day and not to extend any more than 25 minutes later. I'd say, Mr. Speaker, the people that designed these rules never had the intention of the type of abuse that we have seen from members opposite.

Mr. Speaker, there have been plenty of instances where at times the Speaker of Parliament or the Speaker of a Legislative Assembly must face some responsibilities with respect to stopping an impasse of a Legislative Assembly. Mr. Speaker, and I could quote to you at length but I will just say to you, Mr. Speaker, that there is plenty of precedent in the House of Commons, precedent even in the Ontario legislature just last week where the Speaker ruled indeed we will go right to question period because normal business of the day has been obstructed.

I'd ask you, Mr. Speaker, to take all of those points into consideration on this point of order.

Some Hon. Members: Hear, hear!

Mr. Lingenfelter: — Mr. Speaker, I appreciate the opportunity to speak in response to the point of order made to the Assembly by the Government House Leader. In his comments he stated that the government has allowed — and I want to stress the point “allowed” — the members of the opposition to present petitions.

I say, Mr. Speaker, the height of arrogance is a government with a majority saying that they are allowing the opposition to present petitions.

Some Hon. Members: Hear, hear!

Mr. Lingenfelter: — Mr. Speaker, it's clear to members of the opposition and the public that if the government had their way they would not be allowing petitions to be presented here — would not be allowed.

Some Hon. Members: Hear, hear!

Mr. Lingenfelter: — Mr. Speaker, nor would they allow debate on Bill 61. They wouldn't allow it at all because the Government House Leader indicated to the press after only two hours of debate that he was considering closure on the debate on the Bill. So he wouldn't allow debate on the Bill.

They will not allow the Crown Corporations Committee to meet. We have exchanged a number of letters, a number of letters with this government, asking and arguing that Crown Corporations be allowed to sit. They won't allow it.

Mr. Speaker, after the 1989 debate on SaskEnergy, that minister who now complains about the rules of the Assembly, met a number of times with members of our caucus in the Rules Committee. Proposals were made for rule changes. Some of them would have benefitted his caucus; some of them may have benefitted our caucus. But the main point was that I believe they would have benefitted the public.

And what did they do? What did that minister do when he had an opportunity to amend the rules to make them better for the public, as he says? What he did, he ran and hid and did not have hearings around the province, as was proposed and agreed by members of the committee. That's what he did.

But now that the rules aren't working to the benefit of the government, what does he say? Now he says, we're going to change the rules in the middle of the game.

Well I say, Mr. Speaker, that is another example of why the people of the province reject this government and are calling for an election.

Some Hon. Members: Hear, hear!

Mr. Lingenfelter: — Mr. Speaker, we have called on this government to make amendments that would make democracy work better in the province and better in the Assembly. We tabled last week or the week before what we have given to the public in terms of a democratic reform paper called *Democratic Reform for the 1990's*. Not one ounce of support or recognition from the government.

But today, when they're trying to jam through Bill 61, the only thing that's being held up here . . . and I indicate that to the Government House Leader every day in a letter that we're willing to go on to any other business, be it GRIP (gross revenue insurance plan), be it NISA (net income stabilization account), be it the leafcutter bee Bill, or be it any of the estimates that are before the House, we're willing to go to that business.

What we're saying to the minister is that you can't jam through a tax Bill of this magnitude — in the area of half a billion dollars — without the proper debate. That is improper. That's an abuse of power.

Some Hon. Members: Hear, hear!

Mr. Lingenfelter: — The minister indicates that he doesn't know whether we're going to go to question period or not. Well isn't that too bad.

I'll tell you, Mr. Minister, for nine years we have waited for an agenda for the Assembly for the opposition. And we've asked for an agenda. And we have yet to get an agenda for the business of the Assembly on one single day from you as Government House Leader — not one day. We come here every day without an agenda, every day. And some days you tell us outside of the House you're going to deal with this Bill and that Bill, and we come in the House and you say, surprise, we're going to deal with estimates. And you do this day after day.

But today in the middle of presentation of petitions, when only one of our members has presented petitions, when in fact every member has the right, they're not being allowed. But we have the right to present petitions, every one of us. And you say we can't do it.

Some Hon. Members: Hear, hear!

Mr. Lingenfelter: — I want to say to you, Mr. Minister, and I want to ask, Mr. Speaker, that we intend to present petitions, not because we want to but because people are bringing them to us to present on their behalf.

The rules are clear. And I want to take a moment to read from page 6 of the rules of this Assembly by which we live and rule the workings of the House. Rule 11, which deals

with petitions, and it says:

11(1) A petition to the Assembly may be presented by a Member at any time during the sitting of the Assembly by filing the same with the Clerk.

(2) Any member desiring to present a petition must do so during Routine Proceedings and before introduction of Bills.

And that's what we're doing. And we intend to continue to present.

Now when you rise on a point of moving a motion in the presentation of petitions, I want to refer to a ruling made on Friday, June 9, 1989, and in a statement by the Speaker . . .

The Speaker: — Order, order. That motion was not accepted because you didn't have the floor and that was not part of the point of order.

An Hon. Member: — I want to talk about the motion that is being considered by the members.

The Speaker: — You must relate it to the point of order. And I have given you plenty of time to speak and I intend to give you a bit more time but I'm also asking you to wrap up your remarks. Then maybe some other members will also wish to make remarks.

Mr. Lingenfelter: — In this statement by the Speaker, and I want to take just a moment to read it. The Speaker said at that time:

For the clarification of the Assembly, I want to make a statement regarding one of the proceedings which took place earlier today.

Before orders of the day, the member for Regina Elphinstone move that the next item of business be Bill 41. The motion was allowed to be put, without leave, on the grounds that it is a superseding motion which does not require leave.

The Speaker goes on to say:

Upon further reflection, I wish to make a clarification regarding the future application of this procedure . . . (which we're now looking at today).

The purpose of a superseding motion is to set aside or supersede a question which is then under debate. In this regard, I refer members to the *Rules and Procedures of the Legislative Assembly* as follows, rule 10:

A motion for reading of Orders of the Day shall have preference over any motion before the Assembly.

An Hon. Member: — Repeat that please.

Mr. Lingenfelter: — I repeat again, rule 10 says:

A motion for the reading of Orders of the Day (that's where we're at now on petitions) shall have preference over any motion before the Assembly.

Some Hon. Members: Hear, hear!

Mr. Lingenfelter: — Mr. Speaker, rule 41 in your ruling says that:

When a question is under debate, no motion shall be received unless to amend it; to postpone it to a day certain for the previous questions; for reading the Orders of the Day; for proceeding to another order; to adjourn debate; or for the adjournment of the Assembly.

You go on to say:

I further refer members to Beauchesne's *Parliamentary Rules and Forms*, Fifth Edition, citation 417(2)(b) as follows:

Superseding motions, though independent in form, are moved in the course of debate on questions which they seek to set aside. They may only be moved when a question is under debate . . .

Our rules of the authorities are clear that there must be some business before the House in order for a superseding motion to be in order. The motion moved earlier today was moved on orders of the day when there was no question before the House.

I therefore wish members to understand that in future a superseding motion such as the one moved earlier today can only be put when the House is in the midst of debating a motion.

So I say to you, Mr. Speaker, on these points, first of all, the idea that we should be stalled from presenting petitions is an abuse by a government, an attempt to abuse the rules of the Assembly. We had one member presenting petitions today. At that point the Government House Leader rises to put a stop to that. I say that is abuse and I say that is why the people of Saskatchewan believe this government to be undemocratic.

Some Hon. Members: Hear, hear!

Hon. Mr. Martin: — Mr. Speaker, speaking to the point of order, I think the reason that we are here in this House or at any time in the history of this province is we're here because of the people of the province. We're here on the best interests of the people of the province. So, Mr. Speaker, I ask myself as I sit here and listen day after day to what's going on, if we are really doing the people's business. And no one in this House on either side of the House would ever deny anybody the right to speak, particularly in this setting. No one would ever deny that.

Mr. Speaker, the right to speak in a democratic setting like a Legislative Assembly has been fought over many centuries and has been achieved over many centuries, and it's something that we protect. You know, Mr.

Speaker, when you stand here and you try to speak and you hear the shouts and the gibes and the criticisms and the put-downs from either side of the House, you begin to wonder, is it really worthwhile to spend your time trying to make a difference in this province, trying to do something worthwhile.

And, Mr. Speaker, we on this side of the House have been particularly patient, very patient. We've listened to their petitions day after day, listened to the different type of obstructionist methods that they've used. So I think what we have to do, Mr. Speaker, is find a balance. We need to find a balance between oppression of the minority and obstruction of the majority, Mr. Speaker. And I think that it's time, it's time that we as members in this House, elected by the people of this province, got down to the business of doing the government's business, and let's get on with it, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Shillington: — Thank you very much, Mr. Speaker. I want to deal with what I think is the gravamen of the House Leader's complaint, and that is that we are abusing the procedures of the House.

I think it's worthwhile, Mr. Speaker, to ask oneself, what is the legislature? What function does it serve?

It seems to me, Mr. Speaker, that the legislature is first and foremost an opportunity for public opinion to be brought to bear on the government business. It is not necessarily determinant of the government business, but this is what the legislature is here for, so that public opinion may be brought to bear on the issues of the day as the government brings them forward.

The only reason why petitions are being presented in the number they are is because the government will not give the opposition that opportunity. Three people spoke; no one asked for an adjournment. The longest speech was a little over two hours, two hours and 15 minutes. At the end of that, they moved closure and cut the debate off.

There is no abuse of the procedure of the House, Mr. Speaker, except by the government in introducing closure. That's the real abuse of this legislature.

Some Hon. Members: Hear, hear!

Mr. Shillington: — I don't wish to presume upon whatever motives Mr. Speaker might act out of, but I say to Mr. Speaker, if you allow the motion which the Government House Leader wants to put forward, what you're going to be doing is saying that the government's agenda — and some who are crass would say it's a government's election agenda — takes precedence over the function of this House, which is to bring public opinion to bear on the issues of the day. That's going to be the effect of acceding to that motion.

If, Mr. Speaker, everyone had spoken and were speaking a second time under a tabling motion or something else, that would be different. But it just simply didn't happen. We're not at that stage yet.

We're at the stage where I have spoken, two others have spoken, and that's it. And other members of the House who are elected by the constituents to come here and bring the point of view of their constituents forward has been denied. And that's why these petitions are coming forward. These petitions are not an abuse of the House. They are simply the only means that is left to give vent to public frustration with an act of the government with which they vehemently, and I may say unanimously almost, disagree.

So we're not abusing it, Mr. Speaker. We are not abusing the rules of this House. It is the Government House Leader in the premature use of closure which has abused this said legislature.

Some Hon. Members: Hear, hear!

Hon. Mr. Hodgins: — Mr. Speaker, with respect to the motion that I attempted to move, I must say, Mr. Speaker, that that motion at that particular moment was certainly not meant to interrupt the member opposite. And I would certainly just seek an opportunity yet in the day to move that motion. I only speak, Mr. Speaker, to the issue of the abuse that we have seen over the last five or six days. And at that time, Mr. Speaker, if given the opportunity, I would intend to move that motion that we do move to question period and I would at that time like to advance my arguments on why that motion would be in order. But I will await your ruling on this particular point of order.

(1445)

Mr. Brockelbank: — Mr. Speaker, I thank you for giving me the opportunity to speak on the point of order which is before the House at this time.

The member for Regina Elphinstone stated quite clearly in reading from rule no. 11, the two conditions that govern the laying of petitions on the Table. And the first one says, may — the members "may" do it in this fashion. the second one says, the members "must" lay the petition, present the petition "during Routine Proceedings and before Introduction of Bills." I think that's quite clear, Mr. Speaker, and I'm sure you're aware of that as I am.

I want to make further reference to extend the point of order that's raised by the member for Regina Elphinstone and refer to Beauchesne's *Parliamentary Rules and Forms*, 5th Edition, on page 209, section 16, dealing with petitions, Mr. Speaker. The first heading after petitions is "Right to Petition," citation no. 666:

The right of petitioning the Crown and Parliament for redress of grievances is acknowledged as a fundamental principle of the constitution and has been exercised without interruption since 1867.

Mr. Speaker, you will recognize that date as being the creation of Canada. These rules, Beauchesne's of the House of Commons, which act as a back-up to the rules of this Assembly quite clearly state, Mr. Speaker, this is a fundamental principle since Canada was formed. That is quite clear.

I think what we have here, Mr. Speaker, is the clear

intention of the government spoken in this House and outside of this House and evident on the order paper. Their intention is to severely foreshorten the debate and terminate the debate on the particular issue of Bill 61.

Now, Mr. Speaker, I think you in your generosity will recognize the purpose of the petitions is to hear the voice of the people — something this very government is calling for by way of plebiscites, etc. They're calling for it, Mr. Speaker. We have the public's voice here. We're presenting it to the Chamber. I think we cannot be deterred from presenting the voice of the people from all over Saskatchewan on this particular issue.

And the member for Melfort seeks to take the right away from this Assembly, which is recognized in this Assembly since 1904 and recognized in the House of Commons of Canada since the creation of Canada in 1867. And, Mr. Speaker, I'll await your decision on that point.

Some Hon. Members: Hear, hear!

Mr. Van Mulligen: — Thank you for recognizing me, Mr. Speaker. Mr. Speaker, to the point of order, I don't think that it will escape your attention or that of the public that the debate which has been going on in the Legislative Assembly now for a week or two is a debate of major historic proportions.

It's a great debate. It's an historic debate about a government that wants to impose a tax. Now the government has proposed to shut off debate on that motion after only a limited period of time, notwithstanding the major impact of the tax, which is recognized by all sides.

Now we have the government moving further to shut off an avenue of the public to put forward its views on the proposed tax of the government, which is what we have been doing.

It seems to me that we would not be serving the public well if we are to peremptorily cut off further opportunities for the public to put its views forward by shutting down the opportunities to present petitions here in the Legislative Assembly. And again I want you to put that in the context of the great and historic debate that we are engaged in, which is what it is, that we should not shut off the opportunities for the public, for their voice to be heard in this matter.

Mr. Speaker, I think that history will judge you to have made the right decisions if you make the decision on behalf of the public to allow members to continue to put petitions before the Legislative Assembly so that the proportion and the significance of their opposition to this tax Bill can be heard.

Mr. Speaker, I might say in the final analysis that I don't think that the public or anyone in Saskatchewan would look very favourably upon an opposition using methods of obstruction, using methods to slow up the proceedings and the workings of the Legislative Assembly if there were not significant public support for the actions of the opposition, or the members of the Legislative Assembly.

And I feel that in this case there is significant public support for the opposition to be presenting petitions in this case. And putting that into context of the major tax grab that's before us, I ask you to look favourably upon the people being allowed an opportunity to continue to put their voice forward.

Some Hon. Members: Hear, hear!

Mr. Lyons: — Thank you, Mr. Speaker, I wish to speak very briefly and strictly to the point of order that was raised by the Government House Leader.

Mr. Speaker, the reference is made by the Government House Leader for you to intervene in a non-routine way into the ordinary business of the House. He makes reference to Beauchesne's and to rulings of the House of Commons. And I presume, Mr. Speaker, that the Government House Leader is referring to general rule no. 1 which says:

In all cases not provided for in these Rules or by sessional or other orders, the usages and customs of the House of Commons of Canada as in force at the time, shall be followed, so far as they may be applicable to the Assembly.

It appears to me, Mr. Speaker, that the nub of your ruling and the nub as to the governance of the rules of conduct of this House rely or revolve around that particular issue, whether or not there exists rules in this House which govern the ordinary routine proceedings of the House and whether or not the presenting of petitions in the manner that we have been doing fall within those rulings.

And I would submit, Mr. Speaker, that under rule 8(2) of the proceedings that the business of the Assembly shall be the presenting . . . first item of business, according to rule 8(2) is: "The ordinary daily routine proceedings in the Assembly shall be as follows: (the question of) Presenting Petitions."

Within the context of that rule 8(2) and in reference to the method in which those petitions are to be presented, rule no. 11(2) is quite explicit, Mr. Speaker. It says that:

Any Member desiring to present a petition must do so during Routine Proceedings and before Introduction of Bills.

It seems to me, Mr. Speaker . . . it would appear to me that in my opinion and in the opinion of the members of this side of the House, that the procedure for presenting petitions is very clear, that the rule of the House there is no leeway for any other interpretation other than that laid out by general rule no. 1 which says that where there is not a common custom or where there are no rules laid down, the House of Commons is to be followed.

It's our contention that the rules however of this House are extremely clear on that — that rule 8(2) says the first item of business shall be presenting petitions, and that within that context of rule 8(2) any member of this legislature must, before orders of the day, rise during this item of business as laid out in the standing orders of the Legislative Assembly.

So I believe, Mr. Speaker, that the Hon. House Leader does not have a point of order; that in fact the standing rules of this legislature are in force and effect under rule 8(2) and under rule 11(2) as well. Thank you.

Mr. Goulet: — Mr. Speaker, I'd like to speak on the point of order, and I will deal with both the process and the substance of the point of order. It's my viewpoint as a member from Cumberland which is northern Saskatchewan, I think it's very important for me to stand here in this legislature to make sure that the voices of the people are heard through the legislature.

Mr. Speaker, for the past nine years their voices have not been heard too often. And the last time when I was up in northern Saskatchewan this past week, they said make sure you tell the Premier and you tell the people, the government, that indeed what they are doing is wrong; that indeed we want to be able to make our voices known through the petition.

And the petition takes a bit more time in regards to getting here than most other communities, Mr. Speaker. It takes an extra week for mail to come from the different communities in northern Saskatchewan than from other communities. You will notice most of the mail from the different communities, except for the main ones, will arrive here, but the smaller communities take a bit more time.

So I would say that on behalf of my own constituency, I would like to have the opportunity to present the petitions and make sure that the voices of people from northern Saskatchewan are heard.

The minister from across mentions that we tried to stop the House from going forward, but I think that's wrong. I haven't had the time to speak, Mr. Speaker. I haven't spoken on the debate in this House yet. I wanted to speak. I did some research in regards to the history of taxation, in regards to the whole issue as it relates to the PST. And I felt it was very important to present my argument, and especially how it hurts the people from northern Saskatchewan. And I wanted to present these, but I can't any more because now they're going to put the closure motion. I think it's highly undemocratic for the government to present the closure motion at this stage of the game. We haven't even been heard.

And now the last straw. We thought that at least we could present the petition, and now after only one person speaking today in presenting a petition, the government says we can't go ahead and do it. I'm waiting here today to present my petitions, and I hope that the point of order is not well taken that has been raised by the government.

Some Hon. Members: Hear, hear!

Hon. Mr. Klein: — Thank you, Mr. Speaker. I just want to bring to your attention again, Mr. Speaker, the point of order that was raised by our House Leader. And as I lead up to this point of order, I would like to point out that again, as I was speaking at a luncheon to some of my constituents and some of their constituents opposite, the question of the day again, Mr. Speaker, was why I as a

member for Regina was not able to carry forward the viewpoint in this Assembly with freedom of speech, and the delay tactics that have been taken by the members of the opposition.

Clearly, Mr. Speaker, everybody in this province is aware of the fact that the Leader of the Opposition and the House Leader of the opposition party have both indicated publicly on not one but many occasions that they were out to obstruct the proceedings of this Assembly and to delay and stall as long as possible.

Having said that, Mr. Speaker, the point of order that I support is as our House Leader referred to, the use of dilatory tactics during routine proceedings can be an abuse. And the Speaker may, after consideration of the specific circumstances, permit motions which would end such an abuse.

No, Mr. Speaker, unfortunately throughout this entire Assembly since we sat again, we have seen delay after delay. Some have been mentioned. One that has been overlooked is the fact of the Appropriation Bill, which normally is done in a day, perhaps two. And they started way back that long ago, Mr. Speaker, with a six-day delay on a normal Bill.

I ask you, Mr. Speaker, as I speak on behalf of the point of order, to take all of these delays into consideration before you make your decision.

Some Hon. Members: Hear, hear!

Mr. Lautermilch: — Thank you, Mr. Speaker, I too would like to speak to this point of order. Mr. Speaker, I came to this House ... in the fall of 1986, I was elected, and I was elected to represent over ten thousand people in the riding of Prince Albert-Duck Lake.

And I want to say to you, Mr. Speaker, in speaking to this point of order that it is my intention to do just that. And by this government's actions, by introducing the closure motion, I say to you, Mr. Speaker that they are limiting my right to represent the constituents of Prince Albert-Duck Lake.

And I want to say more, Mr. Speaker. I've found it to be a privilege to represent those people. And because this government introduced the closure motion on Bill 61, the constituents of Prince Albert-Duck Lake and other areas have come forth with thousands and thousands of signatures indicating that they want this government to stop their move with respect to the provincial goods and services tax, Bill 61.

(1500)

And this minister, the House Leader on the government side, stands in his place and tells me as their representative that I cannot represent their views either through petition or through reflecting their ideas and their thoughts through a speech. And I say to you, Mr. Speaker, that's why I'm asking you to rule against this.

Mr. Speaker, the taxpayers of Saskatchewan pay my salary on a monthly basis and they pay me to represent

their views, as they do with every one of the other members of this legislature.

And I say to you, Mr. Speaker, the right, the responsibility to present petitions is part of that job. My job is to represent the people, not only of Prince Albert-Duck Lake, but the ideas of people throughout this province. And I want to say to you, Mr. Speaker, if they weren't concerned, if they weren't concerned with, first of all, the closure motion, and if they weren't concerned with the largest tax grab that we have ever seen in the history of this province, we wouldn't be standing here presenting thousands and thousands of names to this legislature, Mr. Speaker. That's why we're here and that's why we're fighting for our democratic right to represent the people of this province.

Now, Mr. Speaker, I've indicated that this is the largest tax grab, Bill 61, and that's what these petitions are about. And the members on that side of the House clearly understand that. And speaking to this point of order, Mr. Speaker, it is our fundamental and basic democratic right to be presenting the desires of the people of this province. And at every turn, this government moves to limit that debate.

Mr. Speaker, this is about democracy; this is about the future of democracy of the British parliamentary system in Saskatchewan. And I say it's about the right to be heard and it's the right to have your feelings presented in this place. And I say to you, Mr. Speaker, that this member is trying to circumvent the right, the process, not only by this motion, but by the closure motion and trying to limit the debate on this major tax grab.

Mr. Speaker, I'm not only speaking for the member or for the residents of Prince Albert-Duck Lake, I have in my hands petitions that come from Saskatoon, from Regina, from Lanigan. I see from my home community, Prince Albert, from Spruce Home, Henribourg, Fiske. I mean I can go through the list. It's a province-wide boycott of this tax, sir. And I ask you, on behalf of the people of this province, to rule against the wishes of the Government House Leader and support members on this side by denying it.

The Speaker: — I'm going to allow one or two members to speak and then I wish to respond.

Hon. Mr. Swenson: — And I'd like to support the point of order of my colleague from the constituency of Melfort, and I'd refer you to Beauchesne's *Parliamentary Rules and Forms*, 6th Edition, page 278, section 1022 where:

A petition should not be merely a remonstrance or protest, or a listing of grievances.

In other words, Mr. Speaker, that the petition should have substance. It should clearly point out, as other sections in here point out, that a petition should show the way to a difference in what is being presented.

Mr. Speaker, I think clearly what the opposition has done in this particular situation over a great number of days in this House is that they do not have any substance to add to the debate on Bill 61. As one of the members from this

side who stood and spoke on that particular debate on the harmonization of taxes within the province of Saskatchewan, I and other members of this caucus, particularly the Finance minister, have laid out to the public of this province a very clear set of plans for the future of our province. It is incumbent I believe, Mr. Speaker, upon presenting petitions that an alternative be presented and not simply a remonstrance or protest.

And I believe that members opposite have simply been protesting because they are scared to present to the people of Saskatchewan a clear alternative to this particular Bill, and so have been using obstructionist tactics that go far beyond the rights and privileges of members of this Assembly and go far beyond what is considered to be normal practice of this Assembly.

And if that fear, Mr. Speaker, which obviously inhabits the members opposite, that they cannot present that clear alternative, then they should not use the rules of this House to obstruct.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — Thank you, Mr. Speaker. I too wish to address this point of order because this point of order, Mr. Speaker, questions in a very fundamental way, the right of the people of this province to express themselves on a very important issue which will have a very major impact on the lives of themselves and their families for years to come in the province of Saskatchewan.

Surely, Mr. Speaker, it is not correct to say, as the member from Thunder Creek has just said, that that is frivolous on everyone who signed these petitions, signed them out of great concern and out of their sincere wish that their voice be heard and that the government would listen. The members on this side of the House have listened. We have agreed, on behalf of those people who have signed these petitions, to present them in this House so that they can be heard.

For the House Leader opposite to get up today, after he announced only hours when the Bill was first introduced for second reading that he is going to interfere with that right, Mr. Speaker, should make the ruling of the Chair very clear. The House Leader opposite said almost at the time he introduced the Bill for second reading that the government would introduce closure, that the government would not allow the debate to take place.

In the face of that, Mr. Speaker, it is the attempt by the member opposite, the Hon. House Leader and his point of order which is frivolous and interfering with the right of the people to speak.

Mr. Speaker, I heard words opposite from the members, the House Leader in particular on the government side, and the member from Wascana, that the presenting of petitions signed by the people of Saskatchewan was an oppression of the majority.

Well let me tell you, Mr. Speaker, that the government's attempt to stop the presenting of petition is an oppression of the majority of Saskatchewan people who

oppose this Bill, this 61 and this tax increase.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — We have before this House — and it's important to consider in this point of order, Mr. Speaker — we have before this House legislation providing for referendums where the people have an opportunity to express how they feel on an issue if the Bill proceeds, if the government would only go ahead with it. But when it suits the government which actually introduced the Bill to interfere with the right of the people to express by referendum or by petition, they want to stop that from happening. That is wrong.

Mr. Speaker, the rules as my colleagues opposite, the member from Rosemont and others, have pointed out, are clear. Rule 81 — the rules of this House are clear when they allow for the right of the presentation of petitions.

But further to all of that, I want to make one final point. And the point I want to make is the difficult situation which the House Leader opposite has put this legislature and put you, Mr. Speaker, and the Chair in by comments he has been making since the beginning of this session, since the introduction of this Bill.

I refer you, Mr. Speaker, to the following quote in the *Regina Leader-Post* which was made, I believe, on Tuesday. Yes it was. When the House Leader opposite said the following. I will read the whole two paragraphs:

For the Tories, it's been several weeks of mounting frustration. Hodgins suggested Monday the Speaker might soon put an end to the delays.

The member opposite, the House Leader was suggesting, Mr. Speaker, that you would soon put an end to the delays now, Mr. Speaker, and he went on to say . . . and I want to be very clear on what the member said because this is a direct quote:

"I believe we will have a ruling from the Speaker," Hodgins said.

What is the member opposite saying, Mr. Speaker? How can you do this now? How can you pass judgement and make a ruling now when the member opposite has put you in that kind of a position?

I think, Mr. Speaker, that clearly states what has been happening here on the part of the government. What has been happening here is that they want to ram through a Bill which the public of Saskatchewan doesn't want, which deals with a major tax increase — the biggest tax increase in the history of Saskatchewan — in the very dying days of the term of this government, and they will try anything available to try to make that happen without the public having an opportunity to express how they feel.

They have refused to call by-elections so that the people can speak. They have refused to call a general election so that the people can speak. Now we finally have a session of the legislature after it has sat, left without being in session for some nine months, and they still don't want to

allow the people to speak.

And as a final insult to the whole process, Mr. Speaker, the House Leader opposite puts you in the position which makes it impossible today for you to make this kind of a ruling. Thank you.

Some Hon. Members: Hear, hear!

The Speaker: — I've listened to the point of order, the arguments on both sides of the House. And after listening to the point and pondering it, I've decided that for me to rule on this point of order would do little to solve the impasse that this House finds itself in.

I believe this issue, that of prolonging petitions, is tied to the measure which the House Leader indicated he's going to raise, which the member for Elphinstone referred to at length in his remarks.

In order for me to deal with this whole issue — and it's a much broader issue — I'm going to allow the House Leader to move his motion. Then I'm going to listen to points of order from both sides. And then I will recess to ponder what to do.

Hon. Mr. Hodgins: — Mr. Speaker, I do move:

That the House now proceed to oral questions.

The Speaker: — I am now going to invite comments, and I'm serious. This is an important issue. This is an important issue. Order. Would the member for Regina North West please take his place.

I'm going to, as I said earlier, I'm going to ask for further comments from all members on both issues — on the point of order and . . . Order. Hon. members are aware that the Chair has the right to reserve judgement on a point of order, and I am not required to make an instant ruling. I have allowed the House Leader to move his motion. I will allow members on both sides of the House to make remarks.

Mr. Prebble: — Thank you very much, Mr. Speaker. Mr. Speaker, my point of order is simply that I am asking a point of order clarification. I'm asking on what basis you are saying that we move off petitions.

(1515)

The member for . . . my colleague from Regina North West has clearly been presenting petitions. Now on what basis is he being interrupted from the presentation of petitions so that this motion could be put forward. What's the basis for you allowing that, Mr. Speaker, to occur? Explain that to the House please.

The Speaker: — Order. Perhaps I haven't made myself clear. We are still on petitions. We are still on petitions. I have not accepted the motion. I have simply recognized him and he has put his motion. I have not accepted his motion.

What I want from the House is as good . . . what I want from the House is points of view from both sides of the House

on the admissibility of the motion. I would like to hear that.

Now we have not moved off petitions. I have reserved my ruling on petitions; we are still on petitions. I have recognized . . . (inaudible interjection) . . . Yes, I have reserved my position on the point of order. We have not moved off petitions. We are now on the point of order regarding petitions.

I have allowed the hon. member, the Government House Leader, to move his motion. I have not necessarily accepted the motion. He has just made the statement. And now I will accept remarks from both sides of the House on both issues. Then I will reserve judgement.

Mr. Brockelbank: — Thank you, Mr. Speaker. I think it's most important, Mr. Speaker, for the rules of this House, that we not move into an irregular procedure with regard to the rules at a time like this. As members of the House, I'm sure we would be quite agreeable, Mr. Speaker, if you wish a recess to consider this matter further, because I think it's important on the point of order.

I think it's important that if you're going to deviate and come with an irregular procedure, what it appears to be before the House now, that we should have the point of order dealt with and we're quite prepared to give a recess. And if we're going to deviate to an irregular procedure, as is suggested by what you said, then it is important that we have a written ruling and citations to support that — for your protection, Mr. Speaker, and for the protection of the rules of this House. I think that's important.

Some Hon. Members: Hear, hear!

The Speaker: — Yes, the member has made good points. I would like to just once more go through the process.

We had a point of order regarding the admissibility of petitions for the reasons you have all heard, and then counter-arguments. I'm going to reserve judgement on that point of order, okay? I recognized the member; he moved a superseding motion. Now, now, now — he moved a superseding motion.

Now I'm going to now allow members to comment on that. And then as the hon. member . . . as to the admissibility of that motion, if you wish, then I'm going to do as the hon. member for Saskatoon Westmount suggested and I will recess to consider this major issue.

Mr. Shillington: — I'm sorry, I'm confused. I'm genuinely confused. I've not seen this ever done before in the middle of a point of order — we go on to something else.

If Mr. Speaker is saying that in order to properly evaluate the point of order, you need to hear the motion that the Government House Leader is going to make, that's reasonable. But if you're saying you're going to allow him to move it so that we are then debating . . . if it's the former, that you simply want to hear his motion so that you can make a decision as to whether or not it would be in order, that's not unreasonable.

But if you're saying you're going to let him move it, which

is literally what you said — you're going to let him move it and somehow or other the point of order and the motion goes on concurrently — that makes no sense at all. You've got two unrelated items of business simultaneously before the House.

So I would ask you what you're letting the Government House Leader do when he gets to his feet. Are you allowing him to simply inform you as to what he's going to move? Are you allowing him to move the motion? If it's the former, that's reasonable; if it's the latter, it makes no sense to have two unrelated items of business in the House at the same time.

The Speaker: — The point of order on petitions has come to a conclusion. However I'm going to allow you to refer to it in the context of a wider discussion because I want a wide discussion on it.

I'm going to recognize . . . if I just may go over it again. First of all, I'm going to recognize the House Leader and then we'll move from there.

An Hon. Member: — What's he speaking to?

The Speaker: — Well, we're going to see now. Order, order, order.

Hon. Mr. Hodgins: — Thank you for recognizing me, Mr. Speaker. And I do know that frustrations are running very high in this Assembly and these are very technical points.

And, Mr. Speaker, I simply want to advance arguments to you as to why a superseding motion to move from petitions to oral question period would be something that would be reasonable that a Speaker should consider, given a member would move that in a proper manner.

And, Mr. Speaker, the Opposition House Leader has referred to previous times when this Assembly, and in fact you, Mr. Speaker, have ruled against a motion of this type. The hon. member spoke about a movement on June 9, I believe, in 1989, when the Opposition House Leader tried to do exactly the same thing. And, Mr. Speaker, at that time you ruled that this was out of order.

Mr. Speaker, I would like to refer you to some recent events that have taken place in the House of Commons and actually even in the province of Ontario, where a Speaker has sized up the situation as it existed and in fact reversed decisions previously made.

Mr. Speaker, I would like to quote to you an exception that took place in the House of Commons. And, Mr. Speaker, in fact this refers to item no. 328 in Beauchesne's parliamentary guide, where it says:

A ruling would indicate that the Speaker has some general responsibility for the operation of the House.

"The immediate question which faces the Chair is whether the motion moved yesterday by the Hon. Parliamentary Secretary to the President of the Privy Council is acceptable or not. I recognize that if we are to adhere rigidly

to recent precedents, including my own ruling of November 24, 1986, the motion would have to be ruled unacceptable. The House is nevertheless facing an impasse which it has been unable to resolve for itself. There comes a time when the Chair has to face its responsibilities. When circumstances change and the Rules of Procedure provide no solution, the Chair must fall back on it discretion in the interests of the House and all its Members. This may require . . . (and I emphasize this point, Mr. Speaker) This may require the Chair to modify or vary an earlier decision."

Mr. Speaker, this is very similar to the circumstances in the House of Commons of April 14, 1987 where the Speaker says:

It is essential to our democratic system that controversial issues should be debated at reasonable length . . . and that reasonable delaying tactics should be permissible to enable opponents of a measure to enlist public support for their point of view.

Rules of procedure (Mr. Speaker) protect both the minority and the majority. They are designed to allow the full expression of views on both sides . . . (that is, government and opposition).

Our rules were certainly never designed to permit the total frustration of one side or the other, the total stagnation of debate or the total paralysis of the system.

Mr. Speaker, the practice of using dilatory motions as a means of obstruction is undoubtedly sanctioned by our parliamentary practice; however, many parliamentary jurisdictions in the Commonwealth place restrictions on the extent to which they can be used. For example, in the British House of Commons, the Speaker has the power to refuse a dilatory motion if he believes it to be an abuse of the rules of the House. No procedure should be sanctioned which permits the House to be brought to a total standstill for an indefinite period. Division bells are no substitute for debate.

Mr. Speaker, several days ago in the Legislative Assembly in the province of Ontario, they faced a similar situation where motions were made to move from the routine proceedings right to question period. Mr. Speaker, that was made I believe on May 8, 1991 in the Ontario legislature.

Mr. Speaker, I must conclude by saying in light of the circumstances of demonstrated abuses of dilatory measures by the opposition, based on the precedent in the House of Commons for reversals of decisions of this type, based on the Ontario Legislative Assembly where similar obstruction tactics took place, Mr. Speaker, I must say that the traditions of our Assembly must evolve to take into account measures such as we have seen in this Assembly.

Some Hon. Members: Hear, hear!

Mr. Shillington: — I am speaking to whatever the Government House Leader was speaking to which is not at all clear to me or anyone else.

The Speaker: — Order, order. Order, order, order. Order, order, order. The member has moved his motion . . . Order, order. Order, order, order. Order.

Hon. Mr. Hodgins: — Mr. Speaker, to clarify the . . . If the members opposite want to listen, I shall wait. Mr. Speaker, to . . .

An Hon. Member: — Point of order, Mr. Speaker.

The Speaker: — Order. What is the hon. member's point or order?

(1530)

Mr. Shillington: — I would like to know what the Government House Leader is doing on his feet for the fifth time in the last hour. This is the fifth time he's been on his feet. It's the fifth time he's been on his feet.

My point of order, Mr. Speaker, is what . . . how are you allowing the Government House Leader to get on his feet five times on what apparently is a continuation of the point of order which he raised almost an hour ago? So my point of order is: what is Mr. Speaker recognizing the Government House Leader for?

The Speaker: — The issue is a point of order on the admissibility of the superseding motion. That's the issue. This is what's under discussion. This is what's under discussion and I'll give the hon. members the opportunity to discuss that issue.

Essentially, I want to try to resolve the issue. It's a large issue and this is basically what I'm trying to do here this afternoon.

Mr. Tchorzewski: — On the point of order that my colleague, the member from Regina South referred to, Mr. Speaker, I will be brief.

An Hon. Member: — Regina Centre.

Mr. Tchorzewski: — Mr. Speaker — the member from Regina Centre. The hon., the House Leader on the government side has spoken several times in this House — five time to be exact. That, first of all, is highly irregular. A member is allowed, Mr. Speaker, to speak to any one issue once unless there is another intervening motion or amendment, or some other measure that's taken. But that member, the House Leader, for some strange reason has spoken four to five times.

The House Leader spoke last and took his seat, Mr. Speaker, after you indicated that he could speak and there could be an exchange of views. After the House Leader of the government took his seat, the member from Regina Centre rose in his place and was recognized by the Chair, and therefore was prepared to speak, and therefore now has the right to speak, Mr. Speaker.

That is the point of order, and I think that that is the way

that the rule applies. And that is, therefore, the right of the member from Regina Centre to speak, because the House Leader had taken his seat and the member was recognized.

The Speaker: — Certainly I am more than willing to recognize the member for Regina Centre. I am here to hear everybody's views, and there is no way that we want to not allow the hon. member to state his views. So the member for Regina Centre.

Mr. Shillington: — Thank you very much, Mr. Speaker. Now on the Government House Leader's point of order, I gather is what we are discussing.

Mr. Speaker, I want to draw your attention to rule 345 of routine proceedings.

A motion to proceed to another item of business under Routine Proceedings, thereby by-passing the calling of other items, is inappropriate and the House should proceed from item to item.

Section 345 — it's fairly clear. You cannot move a motion to proceed to question period or whatever it is that the Government House Leader has in mind.

Mr. Speaker, we believe that we have the right to present our petitions to the Legislative Assembly. As Erskine May points out — which at the moment I do not have — but as Erskine May points out, this right has existed since at least the seventh century, and has not been denied.

I thank my colleagues. This right has existed since the seventh century — the right to present petitions. It isn't always part of the government's agenda, whatever that agenda might be. And there are few who would be very charitable to the government right now about what their agenda is. It may not be part of the government's agenda but the public have the right to present their views. And the views of the public have simply not been given an adequate time to be presented.

I want to pick up on the point well made by the member from Cumberland. He points out that he comes from the North. A different area geographically, and in many ways a different part of Saskatchewan; in some ways better, in some ways worse, but different. There just has been no opportunity, given the communications, the mail, the petitions to be presented from his area.

I say again, Mr. Speaker, it's all that's left to the public of Saskatchewan, given the time allocation motions. Because the debate, for all purposes, when we get to orders of the day, the debate on Bill 61 is over. When we get there, it's going to be over. There's going to be no opportunity for the member from Cumberland to bring forth his views. And that is true of other members as well.

It's also true of rural areas that take longer organizationally for it to get there and longer to get back. It's noteworthy, Mr. Speaker, that the only petitions you've heard by and large — I shouldn't say that — the majority of the petitions you've heard are from cities. It's not because people in rural areas are not opposed to this. Of course they are. It just takes longer for it to get back.

If you permit the Government House Leader to proceed now, you're going to deny a significant portion of the people of Saskatchewan the right to have their views brought to bear on this through the only forum that's left, which is petitions.

I say, Mr. Speaker, that the privileges of parliament must supersede the agenda of the government. If the agenda of the government supersedes the rights of this legislature, then democracy rests on a very, very shaky footing in this province. I don't want to be melodramatic about it, but it is their rights of this institution which guarantees democracy in this province. If the Speaker finds that the government's agenda is more important than the rights of this legislature, then democracy rests on a very shaky ground in this province.

Some Hon. Members: Hear, hear!

Hon. Mr. McLeod: — Mr. Speaker, just a point to clarify what has gone on as it relates to the motion that the House Leader, my colleague from Melfort, moved. As I understand it — and I believe this to be the case — you, as Mr. Speaker, recognizing the nature of the discussion and the frustration in the House on both sides, asked the House Leader to move his motion. And you clearly state that you would then allow — and in fact invited — wide-ranging discussion about the appropriateness of that motion. You asked him to move it; he did move it prior to . . .

An Hon. Member: — He didn't move it.

Hon. Mr. McLeod: — He moved it prior to making the comments about the motion. And, Mr. Speaker, I want to make that clear. I want to make it very clear.

And so, Mr. Speaker, a point of clarification. The motion was moved on the instruction from Mr. Speaker who said, move the motion and then I will invite wide-ranging discussion about the appropriateness of that motion. And as I understand it, that's what's going on now.

The Speaker: — To try to clarify a bit further — and I realized that we have a bit of confusion here this afternoon — to try to clarify a bit further, my understanding was that the motion had been moved — that was my understanding — and that's why I said that. And that's why I said that because that was my understanding.

And there are no seconders required for superseding motions. But essentially what I want is your views, a wide-ranging discussion on the admissibility of that type of a motion. And it was my understanding that he had moved the motion.

Mr. Shillington: — Oh well no, Mr. Speaker, how can that be? With respect, the procedure, in order to avoid exactly this kind of confusion, when the Government House Leader moves a motion, then Mr. Speaker rises and reads the motion and says, is the House ready for the question. And then we go on.

I listened with some care to the Government House Leader and I didn't hear him ever say: I move the

following motion. If he did, then you have the responsibility to rise in your place and say: the Government House Leader has moved that — whatever he might have moved — is the House ready for the question. None of that occurred, and I assumed I was talking for a second time on the point of order.

If indeed there's a motion, I want to know that. And that is very important to this discussion. I have asked some others in the Assembly and most of them don't think there was a motion moved. So if there was, you've got to clarify it.

An Hon. Member: — Point of order.

The Speaker: — The hon. member for Regina North, I'm going to recognize . . . Moose Jaw North, I'm going to recognize him unless he gives way because I believe he had the floor before you. Okay, the hon. member for Saskatoon Westmount.

Mr. Brockelbank: — Well thank you, Mr. Speaker, I want to make reference to the rules of the Assembly and I may say, to precede this, that I distinctly recall you saying, Mr. Speaker, that the member for Melfort may go ahead, but I don't accept it as a motion. So therefore there is no motion on the floor. The member for Melfort didn't move a motion. We were discussing points of order. The rules are quite clear in our Assembly, rule no. 40:

All motions shall be in writing, and seconded, before being proposed from the Chair. When a motion is seconded, it shall be read by the Speaker before debate.

The rules are quite clear, Mr. Speaker, that this was not done. The member for Melfort therefore does not have a motion on the floor. And what we're discussing is a point of order which was raised during the presentation of petitions, which was the first order of business today, which we are on now.

And any points of order have to relate to the point of order that was raised with regard to the petition. The whole discussion of the member for Melfort was out of order because it was referring to extraneous material and not to the point of order.

I attempted to rise at that time, Mr. Speaker, but I unfortunately didn't catch your eye. But the member for Melfort was clearly talking about extraneous issues and not the point of order which we had before the House. He was bringing up something else related to some motion that he had in the back of his head that he hasn't put on paper.

Therefore, not only is he out of order because he didn't put it on paper, but he rose and he spoke on it and he was out of order because he was speaking to something that wasn't before the House, but to the point of order. And he was out of order because he was not speaking to it.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

(1545)

Mr. Hagel: — Mr. Speaker, I would like to respond to your request for input regarding the admissibility of the motion. And I assume therefore, Mr. Speaker, that we do not have a motion before us. Because if we had a motion before us, it would be illogical to have any submissions as to whether it's admissible or not.

A motion has to either be accepted or not accepted. I'm not aware, Mr. Speaker, of any parliamentary procedure which allows a motion to be in limbo where it's neither in nor out, so to speak.

So therefore, Mr. Speaker, I'm assuming that: (a) not having heard a motion presented; (b) not having heard a motion read to the Assembly by yourself; and (c) responding to your request to have comments made by members as to where a motion would be admissible or not, are all reason to believe that we do not have a motion before us.

And I think you've reinforced that quite significantly, Mr. Speaker.

I stand then not to address a motion which is not before us, but to respond as best as I can to your request to members to express opinion about the admissibility of the motion not before us. And also, Mr. Speaker, to bring a point to your attention, sir, on the original point of order, which I'm not clear in my own mind, but I think we're still on. If it's acceptable to you sir, I'd like to make a comment on that.

On the point of order that the Government House Leader brought to the Assembly, in essence as I understood his argument, it was that he believes that the official opposition is obstructing the ability of the Assembly to do its business. If there's anyone in this Assembly who doesn't know this, then they would be the only people in Saskatchewan, Mr. Speaker. Because I think virtually all people in Saskatchewan would know that the official opposition is opposed to the introduction of the closure motion on Bill 61 and has been communicating on a daily basis to the Government House Leader that the official opposition is willing to do business of the House, except to allow the closure motion to come to the Assembly.

So I want to put this into context, Mr. Speaker. If you are considering that the Government House Leader's argument has significance, in that any actions of the opposition, regardless of how you may interpret them, are holding up all government business, it's clearly only interfering with one item of government business, and that's the government's announced intention to invoke closure. That's all that I think any reasonable person would assume is being held up.

But implicit in this as well, Mr. Speaker . . . and I stand — I truly do — with an appreciation for the pressure under which you find yourself, sir, because obviously, as Speaker, you are being asked to make a ruling about which both sides of the Assembly have very, very strong feelings, as do the people of Saskatchewan. And we all in this Assembly understand that.

And do I think it's important that the ruling be made by fairly applying the rules of the House, as you interpret them, and precedent as you understand that, sir. And I would simply ask that the ruling also be made in the context of the reality of what is happening; one point being that on a daily basis the opposition is communicating to the Government House Leader that if he wishes to call any business other than the closure motion, that that will be permitted.

An Hon. Member: — Blackmail.

Mr. Hagel: — And the member from Rosthern says that's blackmail. Well, Mr. Speaker, let me respond to that. The member from Rosthern says that's blackmail. There would be many people in Saskatchewan who would be of the view that when only three opposition members have been allowed to speak for a total of less than six hours on the largest tax increase Bill in the history of the province, that they would use the word "blackmail." Now I think that's not really relevant to the argument, Mr. Speaker, and let me go on past the member of Rosthern's comments here.

There is implicit in what we're talking about here some other important principles, I believe, related to democratic functioning. And I don't, Mr. Speaker, I don't want to make light of the importance of the decision that you have to make.

There is a very long-standing tradition of . . . in democracies, in democratic governments, of not having taxation without representation. And clearly there are people in Saskatchewan who live in four constituencies who are — it is being proposed by the government — going to be subjected to taxation without representation.

People in the constituencies of Indian Head-Wolseley, of Souris-Cannington, of Turtleford, and of Kindersley, Mr. Speaker, have only one vehicle to present their views directly to the Assembly. Those people, Mr. Speaker, do not have an elected member to bring their views about this tax Bill, which is central to the whole argument that's before us. They do not have a vehicle to have it brought directly to the floor of the Assembly other than through the reading of their will by way of petition.

And, Mr. Speaker, I think when we talk about . . . When the member from Rosthern wants to use the word "blackmail," or they want to talk about holding hostage and being undemocratic and so on — and I don't think it's relevant to the argument, but I don't think it's entirely irrelevant either — that what we have are people in constituencies who have been without representation for as long as 18 months — the longest time in the history of Saskatchewan.

And so, Mr. Speaker, let me . . . I see you are wanting me to wrap up, and let me do that. Just to respond finally to the point made by the member from Thunder Creek, who said that there is not something of substance being done in the presentation of petitions. That would clearly not be the view of those people who signed those petitions, including some of the constituents of the member from Thunder Creek.

But it is in my mind as well, Mr. Speaker, significant and maybe symbolic of this whole conflict before us, that the petitions themselves are calling for the government to call an election to earn a mandate to present its tax Bill. And that's simply all that is being communicated through those petitions.

So, Mr. Speaker, I simply ask, as a member of the Assembly, that you use fair and independent judgement, which I believe you will and is befitting of your Chair in these emotional times that we are in in Saskatchewan right now. And I believe, sir, that if you do that, I am confident that you will find that the Government House Leader's point of order will not be well founded.

Mr. Koskie: — Thank you, Mr. Speaker. Mr. Speaker, I just want to refer, in respect to the debate that's going on here, to Beauchesne's *Parliamentary Rules and Forms*, 5th Edition, page 151, rule 417(2)(b):

Superseding motions, though independent in form, are moved in the course of debate on questions which they seek to set aside. They may only be moved when a question is under debate, and cannot be moved by a Member rising on a point of order.

And clearly that applies to the House Leader in this instance.

I want to say also, Mr. Speaker, that in respect to the arguments put forward by the House Leader, he indicates . . . referred to 1987 precedent from Ottawa, that it is not relevant. And I want to say that it's not relevant, referring to the 1987 precedent in Ottawa, because the precedent was set by Mr. Speaker in this House in 1989, which superseded the ruling in Ottawa on 1987. And so we have a clear ruling of yourself, Mr. Speaker, in respect to it.

Also the Leader of the Opposition referred to 1991 examples from Ontario. Well we can of course look also to other provinces. But I want to say, Mr. Speaker, that we have a unique character in this House. And the Speaker has and may have looked at Ottawa, may have looked at Ontario, but as I said previously, that in 1989 you set the precedent in respect to what we're discussing here today.

I want to say, Mr. Speaker, I think it's perfectly clear where the decision should be made — that the point of order should not be well taken; that in fact we do not have a motion before the House, and the petition should be allowed to proceed.

And if you take a look at the clock, Mr. Speaker, we have spent over an hour and a half, somewhere in that neighbourhood, debating an issue, and we could have put forward all of the petitions that we had for the people of this province.

But I want to say it's a very important decision what you make here. I don't think that we should go on any further with the confusion of whether a motion is on the House. And therefore, Mr. Speaker, I think what I want to do at this time is to move a motion to adjourn the House. And I so move to adjourn the House.

The Speaker: — Order. The hon. member cannot move a motion of adjournment when he's speaking to a point of order.

But I would just like to bring this to the hon. member's attention — that after members have spoken to the issue, I propose to recess the House . . . (inaudible interjection) . . . Well I'm going to recess the House now.

Mr. Van Mulligen: — Thank you, Mr. Speaker. Mr. Speaker, I want to reiterate . . . not reiterate, but to support the comments made by my colleague, the member for Quill Lakes.

I think Beauchesne's is fairly clear on the point before you, that a member should not be allowed to use a point of order to interject himself into a debate, and to use that as an opportunity to move to other items on the agenda. And that's what the Government House Leader did in this instance.

There's also a very clear question here as to whether or not according to Beauchesne's, the House was involved in debate, whether there was a question before the House. In fact members were presenting petitions to the House. So I think that Beauchesne's is very clear on that point that you wish to entertain, and that is that the admissibility of a superseding motion should not be allowed, given the context in which it's raised.

Certainly there's opportunities for superseding motions, but I think that the Government House Leader would be allowed to take very great advantage of the rules and to be allowed to operate under the widest sort of interpretation of the rules if you were to rule in his favour and allow admissibility of a superseding motion in the way which this has been done.

I also want to make a few . . .

The Speaker: — Order. The hon. member for Saskatoon South has indicated to me that he wishes leave to introduce some guests.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Rolfes: — Mr. Speaker, I thank the members for giving me leave to introduce some guests here today. I have 27 grade 8 students from Prince Philip School in Saskatoon. They are seated in your gallery, Mr. Speaker. And I want to welcome them to Regina and to this legislature. I know they've had a very busy day. And the proceedings in the House today are somewhat different than what you would usually find them, but I will explain that to you later when we meet for drinks downstairs.

They are accompanied, Mr. Speaker, by their teachers, Mrs. Patricia Attfield, Mr. Mike Thiessen. Their chaperons are Mr. Godfrey, Mrs. Witt, Mrs. Janzen, and Mrs. Jackson. And I believe their bus driver Jack — I don't know his last name — is also with them.

I want to welcome you here, I hope you've had a very interesting day and a very informative day. I'll be with you

in a few minutes to answer any questions that you may have. And I ask all the members to join me in welcoming the students from Prince Philip School.

Hon. Members: Hear, hear!

PRESENTING PETITIONS (continued)

Mr. Van Mulligen: — Thank you, Mr. Speaker. Again, Mr. Speaker, it's my submission that contrary to the stipulations in Beauchesne's, that there was no discussion taking place. In fact you made it quite clear, Mr. Speaker, on a number of occasions that members can only reference the preamble to a petition once and should not further refer to any preambles so as to make it clear that there was in fact no debate taking place.

And you've cautioned the members on a number of occasions about that. So I think that it's clear to all concerned, Mr. Speaker, and if it wasn't, you were making it clear that there was no debate taking place and therefore there can be no admissibility of any superseding motion as is anticipated in Beauchesne's 417, Mr. Speaker.

There was no question under discussion. And rising on a point of order to introduce the superseding motion as the Government House Leader wanted to do, is clearly, clearly, clearly not provided for in any of the rules that we refer to in guiding the debate in this legislature, Mr. Speaker.

Mr. Speaker, if I might be permitted to make a few additional comments, and I want to agree with the Government House Leader when he refers to other jurisdictions doing things in different ways. They certainly do. But in Saskatchewan we have evolved our own rules, we have evolved our own way of doing things, and even if closure and limiting debate and things of that nature are far more common in parliament, they are not common to this House. They are not part of the tradition of this House; they are not part of the history of Saskatchewan. We have tended to have a far more open forum for debate in the Saskatchewan legislature than many other jurisdictions do, and you have to take that into account in making your ruling on that point, Mr. Speaker.

I think that's very important to remember that, that we cannot willy-nilly take precedence from other jurisdictions and say, that suits our purposes. Because even if it suits our purpose of the moment, it certainly is contrary to the history and tradition of this Legislative Assembly, sir. And I ask you to bear that in mind when you make your ruling.

Mr. Speaker, what the government is proposing to do . . . And it has to be put into context. And I think that all of us would be naive if we didn't put this in the context of a Bill which is before the House which has seen the participation of three members of the House and a debate of the 64 members of the Legislative Assembly. We've seen the government move to put closure on that particular Bill.

And we now see the government trying to use the rules of

the House in Beauchesne's to interject a superseding motion to put aside all other business so the government can get on with closure to shut off debate on the Bill.

(1600)

This is a major, major tax Bill. And whatever feelings people have on this Bill, whether it's for or against, the fact of the matter is it's a major tax Bill. It would take money out of the pockets of people and use it for government purposes. The Legislative Assembly, I think, can have few, few other responsibilities than to make sure that any money which is taken from the public is taken carefully and is only subject to great scrutiny and great debate. And I think other members may have more to say on that.

But, Mr. Speaker, it seems to me that if we want to deviate from the rules that we have before us, it should be done in the context of some parliamentary reform. If we want to limit debate, if we want to vary the nature of the debate, if we want debate to go more to committees, then it seems to me the government has an obligation to put a Bill or a motion before us and say, this is what we want to do; here's our program as to how debate in the Saskatchewan legislature should be changed.

Hopefully that kind of proposal is done with the support of all members of the House and is also done with some support of the public. And if you haven't got that kind of agreement, if you haven't got that support from all sides of the House, then there's a real question whether you should proceed in that way.

Mr. Speaker, certainly any major change to the way that we operate, which has been largely without closure, certainly without superseding motion unless it is agreed to, should in fact have seen a review by some external committee and should not be introduced in this way through the back door — the government standing up with no notice, through the back door saying, we want to shut off debate so we can move to discussion on a major tax Bill.

That is not the right way. And, Mr. Speaker, I might say that this session is in danger of closing the way it started in 1986 when the government moved without any warning, without any consultation, without any agreement — said we want to limit the number of people that sit on committees. And we said in that case that's the wrong way to proceed. You can't do it without support of all sides of the House. That's the way to go. That's the way we've done it in Saskatchewan. Let's not change it now. You have an obligation, sir, to make sure that the history of this province and the traditions of this legislature are maintained. I ask you to rule against what the Government House Leader wants to do. Thank you.

Some Hon. Members: Hear, hear!

Mr. Lyons: — Mr. Speaker, I'm going to be very brief again because I know that you want to take the recess and . . . But, Mr. Speaker, it seems to me that when I look — and I refer you, sir, to rule 29(k) of the rules of this Legislative Assembly — and I wonder, sir, if you could look at this while you're making the judgement.

Rule 29(k) explicitly, in my judgement — and I believe the judgement of any reasonable person — would disallow what the Government House Leader is attempting to do. Rule 29(k), Mr. Speaker, makes reference to rules which change or motions which change. And I want to refer you to the exact wordings. Those motions:

. . . as may be required for the observance of the proprieties of the Assembly, the maintenance of its authority, the appointment or conduct of its officers, the management of its business (and I want to underline that, the management of its business), the arrangement of its proceedings (and that strikes directly at what the Government House Leader is referring, the arrangement of the proceedings), the correctness of its records, the fixing of its sitting . . . times . . .

And so on and so forth. Mr. Speaker, my point is this. Under rule 29(k) — and it makes explicit reference to routine proceedings — those routine proceedings under this rule refers to government orders and the way in which motions are normally dealt with in this Assembly. They can be introduced by way of committee report, for example from the Rules Committee, or by giving proper notice of 48 hours notice of motion which is the proper notice to come up under orders of the day.

That's what it seems to me because the Government House Leader is arguing to change. If he's wishing to suspend the rules of the Legislative Assembly, which is referred to here under (j), or to the conduct and maintenance of the propriety of the House under (j), he's wishing to make those changes to the rules of this Assembly.

It seems to me that this rule 29(1)(k) explicitly refers to those changes as can be made only and solely under routine proceedings, in this case under government orders of the day, Mr. Speaker.

The Speaker: — I'm going to recognize the member for Rosetown-Elrose and then I'm going to recognize the member for Saskatoon University, and that'll be the last speaker.

Mr. Swan:-- Thank you, Mr. Speaker. I believe today that we've seen an example of how the business of the House can be disrupted for long periods of time on a number of different issues.

But on the issue that this all started over, the presenting petitions, in all the years that I was Speaker we had many times seen presenting of petitions occur and at times we've seen stacks of . . . hundreds of pages presented by one person, and those petitions then are received by the legislature and have the same impact as what we are seeing happening now of presenting petitions one page at a time simply to delay the House.

I believe in your looking at this issue, Mr. Speaker, that we have to look with realism at what's happening. It's strictly a delay of the House that's been occurring, and I believe that any time that you have a group of petitions with the

same prayer, in many cases from the same community, you don't have to read off the name and the address of each person, but rather you present the petition and the legislature receives it and it's there for the legislative members to review. That's the more proper method of looking at petitions. And it's been done for many, many years in that format.

Mr. Speaker, I believe we have a very serious issue before you for you to go and have some time to make that decision; that we should allow you very soon to recess the House and have the opportunity to bring in your ruling on this issue.

I trust, Mr. Speaker, that in looking at this you will look with the best interests of the public and the legislature at heart so that the work of this House can proceed and that the petitions of the public can still be placed before the House. And I'm sure that they can both be accomplished and we can get on with the regular business of the legislature.

So I'm going to sit down and allow you to recess the House so we can get on with other things.

Mr. Prebble: — Thank you, Mr. Speaker. Mr. Speaker, I want to say at the outset that I agree with your proposal to recess the House and give this matter careful thought.

My intervention is going to be very brief, sir. I want to draw your attention to the section under "Right to Petition" in section 21 of the 6th Edition of Beauchesne's *Parliamentary Rules and Forms*. And, Mr. Speaker, as you know, that section begins with saying that:

The right (to petition) the Crown and Parliament for redress of grievances is acknowledged as a fundamental principle of the constitution . . .

The portion of this "Right to Petition" section, sir, that I particularly want to draw your attention to in the hope that it will be helpful to you in considering your decision is section 1016 under "Right to Petition." And there it says, and I'll just read one line from that section:

The presentation of petitions has again become common both as a method of drawing attention to government policies and as a means of disrupting the Government's legislative schedule.

Now, Mr. Speaker, I'm not of the view that the presentation of petitions as a fundamental right in the form that we've been doing has been disruptive. But I want to say, sir, that even if you viewed it to be disruptive, I believe it's clear, under this section that that is an appropriate use of the right to petition, that the presentation of petitions as a means of disrupting the government's legislative schedule is clearly laid out in Beauchesne's as being an appropriate practice for members of the Legislative Assembly.

And on that basis, sir, I would suggest to you that, while I don't believe we've been disruptive, even if you were to ascertain that we have been, the proposal and the motion that the Government House Leader wants to move is clearly out of order based on this provision in Beauchesne's. Thank you very much.

The Speaker: — I thank all hon. members for their views. I know they all spoke very sincerely and for the good of the Assembly. I will now recess the House and consider the issues

before the House and report back at a later time.

An Hon. Member: — Recess for the rest of the day or are you just going to . . .

The Speaker: — That's a good idea. The hour being almost 4:15, if someone wishes to propose an adjournment motion, I'll accept it.

An Hon. Member: — Could we just recess till tomorrow at 2 o'clock?

The Speaker: — Well we can adjourn it, if somebody wishes to adjourn.

Hon. Mr. Hodgins: — Thank you, Mr. Speaker. On your request, I move that this House do now adjourn.

The Assembly adjourned at 4:13 p.m.