

Honourable senators, we can all recall that at the core of the opposition's difficulty with Bill C-18 was the fear that it would not permit the next regular election to be held on the basis of the 1991 census. That concern was shared by a great many people in the country, in various provinces, within our own party and, indeed, within the government. Changes were made. Bill C-69 deals with that concern.

The other concern, as Senator Murray indicated, was the timetable. The amendments sent from the Senate, with the exception of a technical difficulty which the government was pleased to address, have pursued new disagreements on the content and the process which members of the other place had established to change the redistribution of the electoral districts where they are voted into Parliament by the people of Canada. Those concerns of the Senate were debated in the House of Commons, and all but one of the amendments suggested by the opposition senators was rejected. That message was sent back to this house, not as a peremptory rejection. It was seriously considered. It was fulsome, and it was respectful of this place.

Honourable senators, the Senate has done its job on this bill, as it has done a job on similar bills in recent years put forward by the previous governments concerning redistribution. As has been noted before, Bill C-69 does not simply tinker with the process — it sets up an entirely new system, which has been carefully explained by my colleague Senator Carstairs, who has carried this bill for the government with great care in this house and in the committee.

• (1510)

With the passage of Bill C-69, the Electoral Boundaries Readjustment Act is repealed, as well as the Electoral Boundaries Readjustment Suspension Act, 1994, Chapter 19 of the Statutes of Canada, 1994. The current electoral boundaries commissions would be replaced by a whole new system.

Honourable senators, it would have been highly preferable to have had all of those matters completed in a neat and tidy way by June 22 last. As was anticipated, however, Parliament, in either house, is neither a neat nor tidy place, and that result, to the consternation of some, did not come about.

However, and I will repeat this to Senator Murray, the government strongly rejects any contention that Bill C-69 is improperly before this house. It rejects also any suggestion that either the government or Parliament is restricted or prevented in any way from proceeding with amendments to the electoral boundaries process as a result of events in recent days.

All senators in this house must have an opportunity to take a decision on this matter. The majority may wish ultimately to

defeat this bill. That is their prerogative. However, we must have a chance, all of us in this house, to make a choice.

With all of the actions and the accommodations of the past year, the movement back and forth between the two houses and the response twice by the government on the other side, we believe that the new bill should be passed following the completion of the final committee hearings.

Honourable senators, I recall to you the words of a former Conservative Justice Minister, Leader of the Government in the Senate and Leader of the Opposition in the Senate, the Honourable Jacques Flynn, when he spoke for his party about the principles to be followed when this house was asked to deal with legislation on electoral boundaries. On December 18, 1985, at second reading of Bill C-74, on which many of us also spoke in this place, Senator Jacques Flynn pronounced as follows:

... I would say this is an area that almost exclusively concerns the House of Commons, and I think that we as a non-elected chamber and as appointed legislators are hardly in a position to tell the members of the House of Commons how they should proceed to draw the boundaries of their electoral districts.

Many of us in this chamber were here when Senator Flynn made those remarks. He was a parliamentarian of considerable experience and skill. I would tell my friends on both sides of this house that in effect, in the process of the past year, this Senate has taken a very active rather than a passive role on this issue. All of us in this house might reflect on some of the views that Senator Flynn expressed as we approach a final decision.

I am pleased that there will be a variety of opinions expressed on this issue as the committee does its work, and we on this side look forward to returning at a time when we will have an opportunity in this chamber to make a decision on this very important bill, not just for Parliament, but for the Canadian people who vote for the representatives who work and represent them in the House of Commons.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, it was not my intention to speak on Senator Murray's motion because I thought that the debate on the side of the government would be limited to the validity of sending the bill to committee for legal assessment as to whether or not that bill is still valid. However, after hearing certain comments, I cannot help but react.

It is all very well for the Leader of the Government to quote Senator Flynn. In the circumstances under which he made that statement, it was extremely valid. However, that goes back some years. Today we are faced with a situation where a bill is before us which may be invalid. That was not the situation in which Senator Flynn found himself at the time.