

I heard honourable senators opposite last week saying that Bill C-69 would repeal Bill C-18 with the June 22 deadline. Of course, honourable senators, if Bill C-69 had passed before June 22, Bill C-18 would be a dead letter and would be repealed. However, that is not what happened.

By June 22 at the latest, either Bill C-18 or Bill C-69 was destined to be a dead letter, and we are arguing that Bill C-69 is the dead letter.

I heard another honourable senator say last week that if Conservative senators' logic were followed, it would never be possible to amend the electoral boundaries legislation. Well, of course it will be possible, but you would have to do it right. I argue that you would have to amend Bill C-18 by pushing the June 22 deadline ahead to some future date, or repeal Bill C-18 and start over again with a new bill, if you want to amend the electoral boundaries law. To argue otherwise is to argue, as senators opposite have been doing, that Bill C-18 and, in particular, the June 22 deadline means nothing now and never did mean anything.

Surely honourable senators would not suggest that Parliament put that date in for no reason at all. Surely they would not suggest that it is possible now to ignore that statute and the deadline.

Honourable senators, we have a bill before us procedurally alive, perhaps legally dead, and certainly under a legal cloud. I do not believe that we can or should pass it while it is under that legal cloud.

MOTION TO REFER QUESTION AND MESSAGE
FROM COMMONS TO COMMITTEE ADOPTED

Hon. Lowell Murray: Therefore, I would move, seconded by the Honourable Senator Robertson:

That the question, together with the Message from the House of Commons on the same subject, dated June 20, 1995, be referred to the Standing Senate Committee on Legal and Constitutional Affairs for consideration and report.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, in speaking in response to Senator Murray's motion, I do so in the context of the agreement worked out earlier today by the deputy leaders on each side of this house.

We have agreed that the committees of this house will complete their work and report back to the Senate on July 11, with the exception of two particular pieces of legislation. Included in this agreement is Bill C-69, a piece of legislation of high priority to the government and, indeed, to the members of the House of Commons.

The Standing Senate Committee on Legal and Constitutional Affairs will hear witnesses on this bill and the process which has brought it to this point in the Senate.

I do not intend to retravel at length the sometimes bumpy road which led to Bill C-69, other than to note that it had its genesis in Bill C-18, which was before this house more than a year ago.

As a result of amendments proposed in this house and agreed to by the other place, the current electoral boundaries commissions were suspended until June 22 of this year in anticipation of the enactment of a new piece of legislation.

In a very special parliamentary departure, the House of Commons Standing Committee on Procedure and House Affairs was given the mandate to draft new legislation on electoral boundaries readjustment and, with the consensus of two parties, produced Bill C-69.

Honourable senators opposite had envisaged a process that would have been completed by last February 6, but the government believed that that timetable was too tight and extended the date to June 22 in terms of maintaining the suspension of those commissions.

I suppose, honourable senators, it is always risky to make assumptions about the speed with which either house of Parliament might function. This bill is a case in point. The Commons process was a lengthy one, and, as it turned out, opposition senators did move amendments to the bill when it came here. By the time these were dealt with by the House of Commons and returned to this house last Wednesday in the form of a message, the bill was not passed according to the June 22 timetable in Bill C-18.

What this means, honourable senators, is that the current commissions have resumed their activities, but contrary to the strongly held views repeated today by Senator Murray and opposition colleagues, the government is of an even stronger conviction, based on assurances by our legal advisers, that Bill C-69 continues to be intact and remain properly before this chamber for urgent passage. We do not concede for a moment that this bill is, in the words, of Senator Murray, a "dead letter."