

## ORDERS OF THE DAY

### ELECTORAL BOUNDARIES READJUSTMENT BILL, 1995

#### MOTION TO CONCUR WITH MESSAGE FROM COMMONS

On the Order:

Resuming the debate on the motion of the Honourable Senator Graham, seconded by the Honourable Senator Hébert:

That the Senate do not insist on its amendments 1, 2, 3, 4(b), 4(c), 5, 6 and 7 to the Bill C-69, An Act to provide for the establishment of electoral boundaries commissions and the readjustment of electoral boundaries, to which the House of Commons has disagreed; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

**The Hon. the Speaker:** Honourable senators, before Senator Murray begins, I wish to inform you that the Honourable Senator Murray had been speaking on this motion. He now has seven minutes remaining to do so.

**Hon. Lowell Murray:** Honourable senators, I had intended to point that out to His Honour, even if he had not done so. I think I can fairly summarize our position in the seven minutes that are remaining to me from the speech that I began one week ago.

Honourable senators, it was on June 14, 1994, that the Senate passed Bill C-18, as amended. Following Royal Assent, it went into the statute books as Chapter 19, the Electoral Boundaries Readjustment Suspension Act, 1994. The purpose of that bill was to suspend the work of the boundaries commissions that had been appointed following the 1991 census until a new electoral boundaries law had been passed by Parliament, had overtaken the present process and had cancelled it, or until June 22, 1995, whichever was earlier.

This is not one of those situations where many years after the event we are asking ourselves and each other what was Parliament's intent. We know what Parliament's intent was in so doing. Most of us were here 12 months ago when Bill C-18, as amended, was passed.

Some honourable senators opposite are trying to argue that the June 22 deadline in Bill C-18 means nothing today and, in fact, that it never did mean anything, even when it was passed.

However, honourable senators, the June 22 deadline was not just a major issue; it was the major issue on which a compromise had to be sought, and found, between the Senate on one hand and the government on the other.

Honourable senators will recall perhaps that we on this side had put forward an amendment providing that the deadline be February of 1995. The government argued for a June 1995 deadline. The government's view prevailed, and we adopted June 22 as the deadline.

The June 22 deadline was a key issue. You have only to read the comments made in the House of Commons by the sponsoring minister, Mr. Gray; or those of the Secretary of State, Mr. Fernand Robichaud; or, indeed, those of the Leader of the Government in the Senate, Senator Fairbairn.

The most recent testimony we have had from the other side concerning the fate of Bill C-69 came from Senator Stanbury when he spoke on Wednesday, June 21. Various statements by Senator Stanbury have been put on the record. I want to add to the record the very last words from the speech that he gave at 3:20 p.m. last Wednesday, June 21, 1995, as reported in the *Debates of the Senate* at page 1851. He said:

All parties know the nature of the bill, the time constraints, and the fact that the government is opposed to all but one of the amendments, which was accepted.

He then said:

All senators now have the opportunity to decide the fate of the bill on its substance or on the simple failure of the Senate to give consent to its disposition.

• (1500)

Honourable senators, that sums up the situation quite well. If no new law were passed before June 22, then the commissions appointed following the 1991 census would be revived. They would complete their work, and the next election would be fought on the present law and on the revised maps once proclaimed.

Those maps were sent by the Chief Electoral Officer last Thursday, as the law provides, and the Speaker of the House of Commons tabled them in that chamber last Thursday afternoon.

The Leader of the Opposition, Senator Beaudoin, Senator Nolin and others have pointed out that Bill C-69 is a dead letter. The Speaker has ruled that this is not a procedural question for him to decide, but rather a legal question. A legal cloud is over this bill.