

Opposition senators maintained the bill and continued to maintain, I suppose, that Bill C-69 was a dead letter, to use the words of colleagues opposite. We on this side have strongly maintained its legality. The Standing Senate Committee on Legal and Constitutional Affairs took up the issue at the insistence of the opposition and this week heard a series of expert witnesses, as urged by Senator Lynch-Staunton.

It has been noted, and I will not make too big a point of it, that the committee did not meet at all last week, although that would have provided more time to ask the questions it was developing.

However, on Monday of this week, the committee heard from the Honourable Herb Gray, Solicitor General of Canada, Government Leader in the House of Commons, and his parliamentary secretary, Peter Milliken, who is the chair of the House of Commons Standing Committee on Procedure and House Affairs which committee produced Bill C-69. Mary Dawson was here, the Assistant Deputy Minister in the Department of Justice, as was Professor Beverley Baines from the Faculty of Law at Queen's University.

All of those witnesses testified that Bill C-69 was legally and properly before us and the only significance of the passage of the June 22 deadline was the lifting of the suspension on the current electoral boundaries commission process, which has occurred. That, honourable senators, was the critical question. It was dealt with in committee.

Honourable senators opposite then began to delve into other questions, hypothetical questions, as to what might be the legal and constitutional situation if Bill C-69 were not passed before November when the representation order would be issued under the current process.

The witnesses were prepared to deal with the validity of the bill now, and they were thrown a curve. Opposition senators raced right past the testimony and asked about five months from now — not today, not next week not three weeks from now, but what about five months from now?

Mr. Gray made the obvious point that, if the Senate passes the bill now in order to respond to the urgency of having a new process, which would ensure an election could take place under new boundaries in June of 1997, then what might happen next November is moot. It is not relevant.

To wait five months, honourable senators, to see what might happen is a very novel way for the Senate to deal with legislation of this nature. It is at this point that one reaches again for the wisdom of Senator Flynn. What exactly is the Senate doing with this bill? Are those who obviously want it to be a dead letter prepared at any point to permit a final vote in this house? Yes or no? Or are we seeing a new process developing, whereby prolonged delay in itself, in the confines of a committee of the Senate, governed obviously by a majority, prevents the rest of the senators in this house from making their own choice and registering it with a vote?

A committee is being used to effectively sidetrack bills that the opposition does not wish to see proceed, but also that they apparently do not wish to openly defeat in a recorded vote. So, in

a sense, they are trying to achieve the same end by different means.

The Standing Senate Committee on Legal and Constitutional Affairs received Bill C-69 on May 2, 1995. This was 50 days, honourable senators, from the June 22 deadline, a date that was well known to everyone in this house.

The committee held five meetings and heard from five different witnesses before releasing the bill back to the Senate with amendments 37 days later which, I would suggest, is quite a leisurely pace. That did not give the House of Commons a great deal of time to deal with the amendments, but it managed to do so, sending back a message to us just prior to the June 22 deadline. I admit that is about as tight as you can get.

The opposition sent that bill to committee to examine whether it was a dead letter. When that line of concern failed to produce any fruit, the opposition suggested that it be returned to committee to examine what might happen if it is held up for another five months in the Senate.

Honourable senators, through our Deputy Leader, Senator Graham, we offered to have witnesses testify on this issue immediately, yesterday or today. They were ready to come, but we did not receive a favourable response. Having listened today very carefully to Senator Murray and Senator Lynch-Staunton, we now know why. They really have no intention of proceeding with Bill C-69 in its present form.

Senator Murray wants to give the government another opportunity to consider his amendments. However, honourable senators, as my colleague Senator Stanbury said this afternoon, that time, in our view, has passed.

We have tried today, through Senator Carstairs' motion, to achieve a definitive result on Bill C-69. All of us can count. The opposition majority has defeated that proposal. We are now faced with the prospect of further committee study.

• (1820)

We on this side strongly believe that this is not necessary but, should it go forward, it should not go on indefinitely. Therefore, through Senator Lewis, we are proposing a timetable for the committee which will allow it ample opportunity to conduct and complete its work.

We are confident that the evidence that committee will hear on the subjects that have been raised will support our view that this bill should be passed as quickly as possible, without any further amendments. Under our proposal, this bill could be given Royal Assent by early August.

Contrary to some views of members of the opposition, we firmly believe that the improvements contained in this bill more than justify its quick passage to pave the way for a new redistribution.

Honourable senators, having said that, I have no hesitation in suggesting to colleagues on both sides of the house that Senator Lewis's amendment is reasonable and I would hope it will receive support in this chamber.