

ing in a way different than the way it was contested by Senator Frith on the last occasion.

The proposition that is before us is to adopt the amended bill moved by Senator Cogger. Senator Flynn, in his amendment, says, "Let's take out all the amendments that were made yesterday." That is one proposition. However, there is a second proposition. If his amendment is carried, then automatically the original bill will be reinstated on the order paper. I suggest it is inappropriate to introduce that second proposition at this stage. We are dealing with an amended bill and not the original bill. To ask us in a single proposition to deal with the amended bill and the original bill is unacceptable.

I am not pressing for a ruling, Your Honour, but I am reserving my position on this matter, as well as the position Senator Frith took on an earlier occasion. I am reserving my right to raise this question again, if it does occur again, and seek a Speaker's ruling and, if necessary, a decision from the Senate itself.

I understand the difficulty of the members of the government. They are attempting to resolve this by introducing an amendment which will give them an opportunity to state their opposition to the amendments made yesterday. However, while their dilemma may be masked on this occasion, if, indeed, this amendment is defeated, when we come to the third reading proposition, which will have to be put to the house, the dilemma will be stark and real.

Senator Murray: Not really. I answered that yesterday.

Senator MacEachen: At that point the members of the government will be faced with voting for or against the amended bill. If they vote against the amended bill, and if we join them in that vote, then their bill will be defeated. Therefore, they have to make a choice between the bill and our amendments, and we intend to give them that choice on third reading.

Senator Murray: Honourable senators, I dealt with that matter yesterday. Very briefly, we will not stand in the way of having the House of Commons pass judgment on the amendments that are favoured by a majority of senators in this house. For that reason we are not going to vote against this bill, as amended, with the risk of killing the whole bill at this stage. We will let it go through, as we did before, so that the House of Commons will have an opportunity to pass judgment on the amendments.

Senator MacEachen: In the meantime the members of the government will have declared their support for the amendments made in committee when they have all voted to support third reading of Bill C-22, as amended. That is an excellent thing to discover, that when this bill, as amended, goes to the House of Commons, it carries the support of all members of the Senate.

The Hon. the Speaker pro tempore: Is it your pleasure, honourable senators, to adopt the motion in amendment of Senator Flynn?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

● (1250)

The Hon. the Speaker pro tempore: Will those honourable senators in favour of the motion in amendment please say "yea"?

Some Hon. Senators: Yea.

The Hon. the Speaker pro tempore: Will those honourable senators who are opposed to the motion in amendment please say "nay"?

Some Hon. Senators: Nay.

The Hon. the Speaker pro tempore: In my opinion, the "nays" have it.

And two honourable senators having risen:

The Hon. the Speaker pro tempore: Please call in the senators.

● (1300)

Motion in amendment negated on the following division:

YEAS

THE HONOURABLE SENATORS

Atkins	Doyle	Molson
Balfour	Flynn	Muir
Barootes	Lang	Murray
Bélisle	Macdonald	Phillips
Bielish	(Cape Breton)	Roblin
Cochrane	MacDonald	Rossiter
Cogger	(Halifax)	Sherwood
David	Macquarrie	Simard—24.
Doody	Marshall	

NAYS

THE HONOURABLE SENATORS

Adams	Grafstein	Lefebvre
Anderson	Graham	Le Moyne
Argue	Guay	Lewis
Barrow	Haidasz	Lucier
Bonnell	Hastings	MacEachen
Bosa	Hébert	Marchand
Buckwold	Hicks	Marsden
Cools	Langlois	McElman
Corbin	Lawson	Molgat
Cottreau	LeBlanc	Neiman
Denis	(Beauséjour)	Olson
Fairbairn	Leblanc	Perrault
Frith	(Saurel)	Petten