

That the fourteenth report of the Standing Senate Committee on Legal and Constitutional Affairs be not now adopted, but that it be amended by striking out the sixth and seventh paragraphs and replacing them with the following:

However, as the Honourable Herb Gray noted, any potential difficulties would be rendered moot by the early passage of Bill C-69.

Consequently, the Committee recommends that a message be sent to the House of Commons to acquaint that House that with respect to its message to the Senate dated June 20, 1995, regarding Bill C-69, the Senate does not insist upon its amendments to which the House of Commons has disagreed.

Hon. John Lynch-Staunton (Leader of the Opposition): I should like to ask Your Honour if a member of this chamber can amend a committee report, or whether we are not limited to returning the report to the committee for amendment. I ask for a ruling on that. Can a report of a committee be amended by a member of this chamber?

The Hon. the Speaker: My advice is that it has been done in the past. There are precedents for doing so, although I do not have the precedents at hand.

Senator Lynch-Staunton: Then I will speak to the amendment. I will not speak to some of the comments made by Senator Carstairs because they are not only embellishments but gross exaggerations of our attitude on this bill.

Obviously, we are against Bill C-69. It is a step backward. We were quite in favour of suspending the Electoral Boundaries Readjustment Act when the proposal first came up, but we must remember why the government requested a suspension period to bring so-called improvements to it.

There was no widespread or even "narrowspread" demand anywhere in Canada for improvements to the act. The current act has worked well over the last 30 years. It needs fine tuning; there is no question about that.

What sparked what has become Bill C-69? It was a request by certain members of the Liberal Party, particularly from Ontario, who had just been elected in 1993. Having seen the revised maps, which had been published, they were terrified that if the maps were adopted, at the next election they would be running in ridings completely different from the ones in which they were elected, and their chances of being defeated would rise accordingly.

I am not making this up. This was admitted by members of the caucus themselves. Let me quote one of them. On May 5, 1994 on a CBC *World at Six* report on the Senate's approach to Bill C-18, the reporter, Jean Carter, said:

Many Liberals won seats for the first time in last October's election. They don't want to fight the next election on new turf. Other MPs like Sarkis Assadourian from Toronto worry about their ridings disappearing altogether.

Then Sarkis Assadourian, the member from Don Valley North, says:

I worked twenty years to get here. Within two months I lost my seat, which is not fair.

That is exactly what prompted the Government of Canada to come to Parliament and say, "We must revise the act. Not only must we revise the act, but it will take us two years to do so, which will guarantee that whenever the next election is held, it will have to be held on the boundaries which are already in place based on the 1981 census." If Bill C-69 had gone through, an election to be held in 1996 or 1997 would be based on population figures of 15 or 16 years before, something never before done in this country.

Not every election has been held on the freshest census figures. For instance, it was impossible for the 1972 election to be held on the 1971 figures. However, in every decade there has been an election based on the census figures computed at the beginning of that decade.

Bill C-18, in its original form, would not have allowed that. The dispute was not on the revision of the act. The dispute was on the suspension period. Not only that, the act was to abolish the commissions; to dissolve them. We sent the bill back and said, "No, that is wrong. We feel that is not respecting section 51, which indicates that once the census figures are known, we should get moving on the readjustment of the boundaries."

We suggested a date of February 3, 1995 as the outside limit. The government, with reason, pointed out that their calendar of parliamentary sittings was such that they would not be able to meet that, so we agreed on June 22, 1995. It was understood until June 22, 1995 — to be more exact, midnight June 21 — that once the suspension period came to an end, if there were no revisions given Royal Assent by the deadline, the old act came into force once again. Nothing was said, as is being said now, after June 21, of, "Well, yes, we passed the suspension period, but the deadline was not really as significant as we told you between March, 1994 and June 21, 1995. What it really means is that the bill is still on the Order Paper." We accept that legally it is still there. In fact it is off, but legally it is still there, so the government maintains that Bill C-69 can go into effect any time after it receives Royal Assent, a contention we dispute.

By the way, I mentioned Sarkis Assadourian, and I am sorry to see what will happen to him if the maps which have been tabled go into effect, because his riding of Don Valley North disappears. It will be absorbed by Willowdale and Don Valley East. He has a problem, but that is one of the inevitable results of any revision.

• (1610)

The United Kingdom has a similar system. Perhaps ours was largely based upon theirs. There are four electoral boundaries commissions, one each for England, Wales, Scotland and Northern Ireland. Their guidelines are similar to ours. They have tolerances and they do not believe in the American system of "one citizen, one vote." They do it based on the concept we embrace here. Some ridings are overpopulated, and some are underpopulated compared to the quotient.