

I would suggest that if the opposition is sincere in their allegations and not delaying, they should agree to this motion. Previously we have been told that the opposition is not in opposition to the bill. As a matter of fact, this is shown by the fact that they said they wanted to improve it, and they actually caused amendments to be made to the bill which showed their wish to see the legislation go through. It is not until today that we hear from the Leader of the Opposition that, in fact, they now say they are in opposition to the bill.

I feel that this motion should be passed in order to make it certain as to when the committee will report, and then the bill can be dealt with one way or the other with no further delay.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I wish to make the opposition's position on Bill C-69 quite clear. We think that the amendments we proposed improve it considerably. Bill C-69 as it presently stands is regressive compared to the process presently in place. We are not prepared to accept Bill C-69 in its present form.

We will not accept this amendment because we do not feel that the present process, which is coming to an end, should be interrupted. We feel the government should accept that. There is \$6 million already invested in the current process, which is working well. I will not repeat what I said earlier. That is the main thrust of our argument. There is nothing wrong with the current process. It should only be improved upon, and no one can disagree with that.

Bill C-69 should be set aside until after the draft representation order has been confirmed, and then the boundaries based on the 1991 census can be applicable to the election which will take place anytime after November 1996. Bill C-69, after the draft representation order is proclaimed in the fall, can then be brought back, fine-tuned, and we will be happy to support the government in seeing that an improvement over the present process is put into place.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I have listened to the debate this afternoon with some concern and some regret; concern because Bill C-69 is a very important bill which ultimately has fundamental implications for those, unlike ourselves, who seek to be elected to the House of Commons, and also implications for the people of Canada; a sense of regret because something is happening with this piece of legislation, and perhaps other bills, which has troubling implications for the way we do business in the Senate.

I will not take up the time of the house again in outlining the path which has led us here over the past year in terms of the effort on the part of the government to legislate changes in electoral boundaries redistribution laws. Senator Carstairs has placed firmly on the record the merits of and the necessity for this bill.

In the past, under a similar process, there has been debate and critical appraisal in the Senate, and legislation has been adopted without amendment, including when the majority was held by

the Liberal opposition during the tenure of the former Conservative government.

Once again, I wish to remind honourable colleagues of the assessment of our role as senators on this kind of issue — not on broad and general issues, but on this kind of issue — by a former leader of the government and opposition in this place, a former Minister of Justice, the Honourable Jacques Flynn, when he was sponsoring a government redistribution bill back in 1985, Bill C-74.

I know that some senators opposite, particularly Senators Lynch-Staunton and Murray, become impatient when we remind them of Senator Flynn's words. They say they do not apply today. However, honourable senators, they do indeed apply with great resonance to the situation in which we find ourselves this afternoon. When Senator Flynn was urging this house to adopt his government's bill as expeditiously as possible, he said, and again I quote:

...I would say this is an area that almost exclusively concerns the House of Commons, and I think that we as a non-elected chamber and as appointed legislators are hardly in a position to tell the members of the House of Commons how they should proceed to draw the boundaries of their electoral districts.

• (1810)

That was fairly harsh stuff from Senator Flynn. I would say, honourable senators, that this house, through its majority, has in fact been dealing very aggressively in the past year with the redistribution process, and not just in terms of offering advice.

The Senate has sent back to the House two bills with amendments: Bill C-18 last year and, most recently, Bill C-69. The amendments have been substantive, not just technical. The government has been both responsive and respectful of the Senate's legislative role.

It would appear now, however, that instead of wishing to engage with the House of Commons in a serious way in the legislative process, opposition senators are creating a dialogue between the two Houses with something completely different in mind.

On June 20, we received from the House of Commons a message on our amendments. On June 21, my colleague Senator Graham moved that the Senate not insist on those amendments. Rather than concur, as we all know, Senator Murray moved the adjournment of the debate knowing full well that this would mean that the provisions of Bill C-18, which had suspended the current electoral commissions, would take effect at midnight that day because the new legislation, namely Bill C-69, would not be in place. We all knew that.

To ensure, however, that such passage of Bill C-69 would be impossible, Senator Kinsella, the opposition whip, deferred the vote on Senator Murray's motion until the next day, June 22. On that day, the current redistribution commissions were reactivated as provided by law.