

THE SENATE

Wednesday, November 5, 1980

The Senate met at 2 p.m., the Speaker in the Chair.
Prayers.

THE CONSTITUTION

SPECIAL JOINT COMMITTEE—SENATE MEMBERS—
COMMUNICATION FROM THE HON. HAZEN ARGUE, P.C.

Hon. Raymond J. Perrault (Leader of the Government): Honourable senators, I have received the following communication from the Honourable Senator Hazen Argue:

I very much regret my absence from the chamber today, but I have been advised as to the debate in the Senate yesterday.

Because my independence to act as a member of the proposed special joint committee to examine the constitutional proposals has been called into question, and there seems to be doubt in the minds of a number of senators as to the advisability of a cabinet minister acting as a member of the committee, I would ask you to please withdraw my name from those indicated to serve on the committee.

That message is signed by the Honourable Hazen Argue, P.C.

Some Hon. Senators: Hear, hear.

• (1405)

Hon. Royce Frith (Deputy Leader of the Government): Honourable senators, in view of the communication that has just been read, and in view of certain other considerations in connection with the debate that took place last evening, as well as observations made by honourable senators from both sides of the house, I would ask honourable senators to agree to proceed directly to Order No. 2 on the Orders of the Day. My explanation is that I have a motion to present which I believe amends the main motion, the subject of Order No. 2, and which I hope will resolve the concerns expressed by some honourable senators last night with reference to a cabinet member being a member of the joint committee. That subject has just been dealt with, partly, at least, by the Leader of the Government in the Senate. The proposed motion also resolves the other concern, or at least responds to it, which is the need for a senator on the committee from the Atlantic provinces.

I informed my friends on the opposite side of my intention to present this amendment and I asked for their leave to do so, and they graciously consented. It seems to me that we now face the amendment proposed by Senator Flynn, which he may wish to have voted on, and which could be voted on in the light of what has been said. When that has been disposed of we could proceed with my amendment to the main motion, and, hopefully, after debate, it could be voted on. As I have said, I

hope that my amendment will meet the concerns expressed by some honourable senators last night.

Hon. Jacques Flynn (Leader of the Opposition): Honourable senators, I understand that in simple terms what the deputy leader is asking is to bring on Order No. 2 immediately in order to accommodate some people who want to leave early today. We agree with that. When the question is put, we can deal with whatever proposal the deputy leader has to offer.

The Hon. the Speaker: Do I understand that leave is granted to Senator Frith so that Order No. 2 can be proceeded with immediately?

Senator Flynn: With regard to Order No. 2, yes.

SPECIAL JOINT COMMITTEE—APPOINTMENT OF SENATE
MEMBERS

On the Order:

Resuming the debate on the motion of the Honourable Senator Frith, seconded by the Honourable Senator Perrault, P.C.:

That rule 66(1) be suspended in relation to the nomination of senators to serve on the Special Joint Committee to consider a proposed Address to Her Majesty the Queen concerning the Constitution of Canada;

That the following senators be appointed to act on behalf of the Senate on the said Special Joint Committee, namely, the Honourable Senators Argue, Asselin, Austin, Connolly, Frith, Goldenberg, Hays, Lamontagne, Roblin and Tremblay; and

That a Message be sent to the House of Commons to inform that House accordingly, and

On the motion in amendment thereto of the Honourable Senator Flynn, P.C., seconded by the Honourable Senator Roblin, P.C., that the motion be amended by striking out the name of the Honourable Senator Argue.—(Honourable Senator Frith).

MOTION ON AMENDMENT NEGATIVED

Hon. Royce Frith (Deputy Leader of the Government): I ask honourable senators, although this is Senator Flynn's amendment, that they agree to having the question put on the amendment now, and that we then proceed to deal with the main motion. I hope there was enough debate on it last night, but that is up to others.

Hon. Jacques Flynn (Leader of the Opposition): I am ready for the question to be put now, but it seems to me that, in view of the position taken by Senator Argue, the amendment should