

Third Session - Thirty-Ninth Legislature
of the
Legislative Assembly of Manitoba
Subcommittee
on
Senate Elections

Chairperson
Ms. Erna Braun
Constituency of Rossmere

Vol. LXI No. 8 - 2 p.m., Saturday, April 25, 2009

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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**LEGISLATIVE ASSEMBLY OF MANITOBA
THE SUBCOMMITTEE ON SENATE ELECTIONS**

Saturday, April 25, 2009

TIME – 2 p.m.

LOCATION – Flin Flon, Manitoba

CHAIRPERSON – Ms. Erna Braun (Rossmere)

VICE-CHAIRPERSON – Mr. Blaine Pedersen (Carman)

ATTENDANCE – 7 QUORUM – 4

Members of the Committee present:

Ms. Braun, Messrs. Dewar, Faurischou, Jennissen, Lamoureux, Ms. Marcelino, Mr. Pedersen

WITNESSES:

Mr. Barry Phillips, Private Citizen
Mr. Clarence Pettersen, Private Citizen
Mr. Tom Lindsey, Private Citizen
Mr. Dave Kennedy, Private Citizen
Mr. Tom Therien, Private Citizen
Mr. Greg East, Private Citizen
Mr. Dan Reagan, Private Citizen
Mr. Gregg Whyte, Private Citizen
Mr. Mark Kolt, Private Citizen

WRITTEN SUBMISSIONS:

Dean Grove, Private Citizen

MATTERS UNDER CONSIDERATION:

Consulting with Manitobans on Senate Elections.

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Madam Chairperson: Good afternoon. Will the Subcommittee on Senate Elections please come to order. This meeting has been called for the purpose of consulting with Manitobans on Senate elections.

Before we go any further, let's go around the table and let the members of the committee introduce themselves.

My name is Erna Braun. I'm the MLA for Rossmere, and Chair of the Subcommittee. It's a pleasure to be up here in Flin Flon this afternoon.

Mr. Gregory Dewar (Selkirk): Greg Dewar, MLA for Selkirk.

Ms. Flor Marcelino (Wellington): Flor Marcelino, MLA for Wellington. My first time to be in Flin Flon, and I'm very happy to be here.

Mr. Gerard Jennissen (Flin Flon): Gerard Jennissen. I'm the Member for Flin Flon, and I'm really thrilled to see so many people at this meeting.

Mr. Kevin Lamoureux (Inkster): Kevin Lamoureux for Inkster. Like everyone else, I'm also happy to be with you here this afternoon.

Mr. David Faurischou (Portage la Prairie): David Faurischou, MLA for Portage la Prairie. It's been some 30 years since I've been in Flin Flon, nice to be back—[interjection] Oh, circumstances around—correct. Manitoba had a beer strike on in 1978, and we had to come to Creighton to get the beer.

Mr. Blaine Pedersen (Carman): Good afternoon. I'm Blaine Pedersen, the MLA for Carman, which is an hour southwest of Winnipeg. I would certainly like, on behalf of the three of us—and Ray was also on this tour. We had a tour of the mine today; we were down 777 mine. When you come from farming country, to go into a mine, it's certainly a different experience, and we certainly thank you for that opportunity.

Madam Chairperson: Thank you.

We have a number of presenters registered to speak this afternoon as noted on the presenters' list.

Before we proceed with presentations, I have a few notes for all in attendance.

First of all, if there is anyone else in the audience who would like to make a presentation this afternoon, please register with the staff at the entrance of the room.

Also, for the information of all presenters, while written versions of presentations are not required, if you would like to provide us with written materials, we ask that you have 15 copies. As well, I would like to inform presenters that, in accordance with our rules and practices, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from the committee members afterward.

We have a written submission, Dean Grove. Is there agreement by the committee to include this in *Hansard*? [Agreed] Thank you.

Is it also agreed to allow lunch, due to the fact that our members had been on the tour? [Agreed] Thank you.

Also, in accordance with our rules, if a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters' list.

For your reference, we also have available on the table at the entrance to this room some background material on the Senate of Canada, as well as some material on this committee.

The proceedings of our meetings are recorded in order to provide a verbatim *Hansard* transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. This is a signal for the *Hansard* recorder to turn the mikes on and off.

I will now call on Barry Phillips, private citizen. Do you have any materials for distribution?

Mr. Barry Phillips (Private Citizen): Good afternoon. I don't have any paper materials. I'm sorry.

Madam Chairperson: That's fine. You may proceed.

Mr. Phillips: Okay. I have some observations on the question of the election of senators.

The Senate is a useful and effective part of Parliament. It has the potential to be even more. It is restrained, however, by the fact that it is unelected. That's very difficult for many people to accept. However, in making changes to the Senate, a number of commentators have referred to the possibility of unforeseen consequences arising from reform, and that does need to be borne in mind with everything we do.

* (14:10)

I'm not going to try to come up with an electoral mechanism to address the question of senatorial appointments. Rather, I will offer some principles which might be applied when the Province considers this issue.

I will begin by noting my reactions to some of the provisions of Bill C20, the Senate Appointment Consultation Act, which, I think, is what has started this whole process because it's a threat to the provinces. I'll try and develop some principles out of my initial reactions to that. I will throw out a couple of more offbeat ideas at the end, if I have time.

The commentary at the end of Bill C20 as published on the Internet states: In future years, it may be that an informal practice of appointing senators from the list of selected nominees will transform itself into a constitutional convention that would constrain the prime minister in making his or her choice for Senate appointments.

If and when that constitutional convention arises, the Province will need to have a clear idea of its position on the subject of Senate appointments and election. Bill C20 seems to represent the present intentions of the Conservative federal government on Senate elections. Bill C20 covers almost all the questions set out in this committee's question sheet, Electing Senators in Manitoba—Background and Context, which we are considering today. Since the act applies to the Prime Minister's prerogative of appointment, then the provisions of Bill C20 will take priority over any provincial legislation until such time as the Constitution is amended.

Bill C20 bypasses the provinces almost entirely. The Province has virtually no input. This is similar to the situation in the United States when Senate elections went directly to the people with the passing of the Seventeenth Amendment, and state involvement in Senate appointments ended.

The idea of a provincial interest in Senate appointments has been regularly raised in the past, but is not considered in the current federal position. Bill C20 equates Senate elections very closely with elections of the House of Commons and diminishes the differences between the two Houses.

Some of my reactions, then, when I was reading through Bill C20, are as follows:

Firstly, I take issue with the assumption that political parties will submit candidates for the Senate. Political parties are essential for "goodment" in the House of Commons where the principle of responsible government applies. Without political parties, no government would be able to direct business. It would not be able to maintain a majority through more than a few questions. However, the government does not answer to the Senate and the

importance of parties to the running of the Senate is not nearly so great. The identification of potential senators could be done by provincial governments, by Senate appointments, panels or by other means. I just don't accept that Senate elections must or should automatically fall within the party's system.

A second problem is the insistence that Senate elections will coincide either with federal or provincial elections. The problem I see with this is that the election of senators will become embroiled with the partisan campaigning that occurs in federal elections and possibly also in provincial elections. The alternative is separate Senate elections. But the problem with that is that popular interests may be extremely low. Related to this is the question of senator replacement. At present, vacancies can occur and appointments can be made at any time. Will there be mass replacement of senators at each federal election, provincial election or simply fresh names on a list of senators-in-waiting?

Thirdly, a question which arises deals with financing. A Senate election would be expensive, even if linked with general elections. It would also require prospective candidates to seek financial backing for their candidacy. In turn, this could lead to senators beholden to a political party, with possible secret signed deals. Would prime ministerial patronage simply be replaced by party patronage? In my view, senators need independence in order to be objective in the role which they are required to play.

Fourthly, the controls on communication and advertising lead me to feel that Senate campaigns, as envisaged in Bill C20 will follow the same undesirable behaviours as are shown by the political parties in present federal elections and, perhaps, some provincial elections, too.

The fact that the Upper House would be elected puts it technically on a par with the House of Commons. It represents the whole population. It is the voice of the people, also. It raises, therefore, the possibility of conflict between the two houses in the future. It undermines the concept of responsible government. And sixthly, there is no role for provincial governments, nor any provision for regional senators within each province. Those were my reactions as I was reading through this.

So out of that some principles seemed to occur in my mind. Firstly, it must be clear by the process of selection and method of representation that the Senate is the less powerful chamber, just as at the moment the fact of appointment by the Prime

Minister renders it secondary to the House of Commons.

Secondly, Senate elections should not be mirror images of federal elections.

Thirdly, Senate selection should fit the role of the Senate as a chamber of sober second thought and should aim to recruit talented Canadians who have proven their abilities and commitment to public service and national affairs in or out of politics, irrespective of party affiliation. Senators should not necessarily represent the majority of the population but can also reflect the diversity of Canada's population. Senators should be able to serve as many terms as they want to stand. I'm referring here to Bill C19 which seeks to make senators' terms non-renewable. It does not make sense to say that the people should be able to elect the senator of their choice but then to say that they have no right to be represented by someone simply because they have already served one term.

One of the values of the Senate should be the accumulation of experience of its members. Therefore, if there are Senate terms they should be longer rather than shorter; perhaps eight years with possibility of re-election is not unreasonable. This opens the possibility of regional senators, a concept which exists nationally in the constitution. Canada's constitution at the moment divides the Senate by region, not by province. The provincial setup is secondary. If so, this should be on a basis of regional equality, not population. This committee must be aware of the intense resentment in the north and in rural areas towards the city of Winnipeg and its undue influence upon the province. My own preference in a six-senator Manitoba would be for one senator each representing the City of Winnipeg, rural regions, and the north, and two senators-at-large representing the whole province. Manitoba should provide Aboriginal and Métis people of the province the sole right to select one of the six provincial senators until such time as a constitutional amendment provides for Aboriginal and Métis senators in their own right. Manitoba should encourage other provinces to do the same.

Four: The process by which senators get into the Senate should be easier than MPs' experience at present getting into the House of Commons in the interest of attracting top class candidates so that they're not put off by having to go into a major rigmarole in their alliance, that they can simply transfer into the Senate. Senate elections should

definitely not coincide with federal elections. Coinciding with provincial elections is not so serious. Separate Senate elections are probably impractical.

Six: The role of parties in deciding and endorsing candidates should be curbed or curtailed. Alternative methods should be investigated, such as the use of electoral panels or colleges. Electors could be presented with a standardized description of the candidates and outside campaigning, including advertisements, could be restricted. This would not preclude political parties from submitting their candidates to the panels or boards.

I did promise you some farther out ideas. Additionally, alternative—[interjection]

Madam Chairperson: Excuse me, Mr. Phillips, your time has expired.

Mr. Phillips: Oh, okay. I thought you might give me one minute more. Okay, I'll stop at that point then.

Madam Chairperson: Thank you. Are there questions from the committee?

* (14:20)

Mr. Jennissen: First of all, thank you, Barry. It was great. For those who don't know, I taught with Barry many years at Frontier Collegiate Institute, so I was personally quite thrilled to have him come forward and put some of his ideas on the record. We've certainly talked in the hallway many a time on these topics and now we can do it in a formal form.

Just a couple of questions, Barry. One was unforeseen consequences, you were saying, of an elected Senate. I wasn't quite sure—

Mr. Phillips: A number of commentators had said that if you start reforming the Senate, that unforeseen consequences arise from that. The most obvious one being that you do challenge the supremacy of the House of Commons in political theory, and the position of the House of Commons is absolutely paramount in the sense that it represents the will of the people, if you will. I know originally it was simply taxation, but now we use one man, one vote—only nowadays, I suppose, one person, one vote—as the basis of representation simply for that reason: that every person should be equally represented in the House of Commons, and it is the House of Commons which holds the government accountable for its actions. That's the most obvious—

Mr. Jennissen: I don't want to monopolize.

Just one more quick question, Barry. You had mentioned that political parties were essentially good government. Now, in Nunavut, we have consensus government, we don't have political parties. So, are you saying it can't work there? Political parties are essential for good government, I think was one of the statements you made, and I said, well, that is not necessarily the case in Nunavut. They assume that we can do it via a consensus model.

Mr. Phillips: The answer to that is that it's never been possible in Canada, as a whole, traditionally. The idea of using a political party has been important. In the first period after responsible government was introduced, I believe there were 12 governments in 15 years, creating the situation in the United Province of Canada which led, eventually, to Confederation. Simply, there was deadlock in government because MPs they called loose cannons were jumping from party to party and no ministry could maintain a majority.

Mr. Dewar: Thank you very much for your presentation.

In one of your comments, you mention the electoral college process. Another presenter, I think it was in St. Laurent, suggested MLAs make the decision, that we are elected to make decisions on behalf of the people, and this is a decision that we should make. We represent the province—of course, members from all across the province.

I think the person suggested that names be provided, screened by some process presented to the Legislature, and that MLAs make the decision regarding Manitoba's future senators. Do you have any thoughts on that?

Mr. Phillips: It would be the cheapest way of doing it or one of the cheaper ways of doing it. I think if you have a system of regional representation, that certainly the MLAs for each region, which would break down the traditional party alignment as it stands in the government as a whole. I think there are some problems if you have the Assembly, Legislature, deciding for the whole province because there could be—political differences could start to cause problems there.

I think I raised the idea of an electoral college because I think it is a pretty powerful idea, but I think there would have to be an awful lot of investigation. I don't have any specific idea of what that would look like at the moment. I think it would have to be investigated.

Mr. Faurschou: You suggested the timing was important, as well. It has been suggested that it be co-ordinated with municipal elections, being that municipal elections are, to date, non-partisan and neutral in their campaign model as one opportunity of a cost-effective way of delivering an elected platform.

How are your feelings on that?

Mr. Phillips: That's something I haven't thought of, and it has the same value, even more strongly, than putting it with a provincial election because you're voting for a federal representative, but you're not being bound by the politics of the federal government. So, that is another possibility.

In my weird and wonderful suggestions, I also thought you might make a requirement that people make a selection of a senator on their tax files at the end of the year. If, particularly in a region, where you wouldn't have to do it every year, but when your senator is coming up for re-election, or a vacancy's going to occur, then people would be forced, somehow. There are problems with that, of course, but it's another possibility.

Madam Chairperson: Our time for questions has expired.

Mr. Faurschou: Mr. Phillips, I want to take the opportunity to thank you very much for your presentation. A great deal of thought and preparation has gone into your presentation today, and I want to thank you very much for that.

Mr. Lamoureux: Very, very quick question is—

Madam Chairperson: Is there leave of the committee to allow one more question?

Floor Comment: Leave.

Mr. Lamoureux: What about the concept when a judge is appointed, they have to surrender their party membership. What about if a senator gets elected? Do you think it would be good for a senator to surrender their party membership?

Mr. Phillips: That's something I hadn't considered. I just don't think that you're going to be able to get away from party affiliation. I don't think it should be as important, but I do think it probably will be a continuing part of the Senate. So it may or may not be something later on. I hadn't really considered that because that's getting into Senate reform as opposed to election of senators, and the process the federal government seems to be doing is to split this whole

thing up piecemeal and do it one part at a time, so I hadn't really given consideration to it.

Madam Chairperson: Thank you for your presentation.

Just a reminder to the committee members, don't turn your mikes on and off. That's done automatically with the *Hansard* crew.

We have an additional name to add to our list of presenters. No. 8 Gregg Whyte, private citizen. I will now call on Clarence Pettersen, private citizen. Do you have any written materials?

Mr. Clarence Pettersen (Private Citizen): Not to hand out, just for myself.

Madam Chairperson: Thank you, commence with your presentation.

Mr. Pettersen: Okay, just listening to the last presenter, ka-ching, ka-ching. Let's spend more money. Let's make government bigger and let's hope it's more effective. Well, as you'll see, I'm totally against that. We all agree, change has to happen. Abolish or reform.

I think it is bigger than the Senate. I'll explain. First, about the Senate, people are being laid off. Companies are closing down because of our deep recession. Our government is telling companies lower wages, trim the fat, and become more competitive. Now we're asking, should we reform the Senate or abolish it? We know the Senate as it is, is irrelevant.

Now you ask the people of Canada, should we tweak a little, elect it, whatever, or abolish it? I'm sure I know their answer. The people would say, let's use our common sense. If we don't need the Senate or it has no function or is not relevant, let's get rid of it. Hopefully, we can use more common sense than the \$2 billion spent on the long gun registration.

So I'd be for a referendum in the Senate, something I think Jack Layton talked about last election, where the people decide. But hold on, are the people fed up with elections, government and/or leadership? Forty percent of Canadians did not vote in the last election. The Conservative Party is leading Canada with 37.6 percent of the vote, meaning 5,200,000 Canadians are deciding who our leader is. In one riding in Québec, 29 percent of the voters turned out.

Maybe it's not just the Senate that needs changing. We are moving towards regional parties.

Canadians watched the American election more than their own. The Canadian people are speaking and no one is listening. We definitely need to change, but the Senate is a small part. We need an overhaul of the whole system. Let's make it a truly made in Canada system, not British or American. We live in the greatest country. Let's keep it that way. Yes, we can come up with bold and competitive ways for change. At this time, this is when everybody's supposed to stand up and say, yes, we can. I feel revolution in the air. Thank you.

*(14:30)

Madam Chairperson: Thank you for your presentation. Do we have any questions from the committee? Seeing none—

Mr. Pedersen: Thank you for your presentation. Obviously, you have a strong thought. If I understand right, you just want to abolish the Senate. But, if I may, you realize that the chances of that are equivalent to somewhat like a snowball, too, and going down deep, because that will require constitutional change.

So do you see, whether people agree with you or not whether the Senate should be abolished, but we have to work through some process of doing that. What's the process towards, in your view, of removing the Senate?

Mr. Pettersen: I think if we're going to open up the constitution and, believe me, just to change it is going to be a nightmare, right? To abolish it would be another nightmare. I think if we open up the Constitution, we have to revamp the whole system, because what we're seeing right now, people, the apathy that's being followed by elections. You want another election for the Senate? I mean, come on. People are hardly going out for voting for city councillors. Let's have another election. Let's spend another billion dollars on a body that we don't need. We're functioning fine with senators going to Mexico for half the year right now. We're functioning. So let's elect them. Let's have another body that we have to go through. I don't think that's the answer.

I think we have to come up a made-in-Canada system. I don't know what it is, but I'd like to see this committee not just talk about the Senate, but let's talk about reforming the Government of Canada somehow, so that—we are, right now, developing regional parties. We have the Conservatives in the west, we have the Bloc in Québec, the Liberals in Ontario. Is that going to change? I don't know. But, if

it gets worse, let's say, you'll be coming around here in a few years, let's talk about changing Canada. I think it's more than the Senate. That's the gist of my speech.

Mr. Jennissen: The referendum notion—and that would require, then, a very clear question, because I guess what you're saying, Clarence, is that people will always have the option of saying no to the Senate, not merely to reform the Senate. In order to find that out is almost like you need a referendum before that.

Mr. Pettersen: I like Jack Layton's point, where, in the last election, let's put it on a referendum then, which would make a lot of common sense, doing it when we're having an election anyway. I think, though, some of the parties are scared of the result, because the people do want change. I mean, 40 percent didn't vote, so people want change. I think putting on a referendum would definitely say, let's either abolish it or reform it. If they want to abolish it, then let's not waste their time.

Madam Chairperson: Thank you. I would now like to call on Tom Lindsey, private citizen.

Mr. Lindsey, you may start.

Mr. Tom Lindsey (Private Citizen): I'll figure that out like everybody else, I guess. Good afternoon, everybody.

I guess, really, the burning question that should be being asked and isn't being asked is, why do we need a Senate? What's their purpose? What's history shown us that they've accomplished?

I guess the answer to that question, at least in my recent memory, is absolutely nothing. It's just a place for partisan appointments, pork-barrel politics at its finest, with no benefit to the country of Canada. So, instead of deciding should we elect senators, we should be talking about should we abolish the Senate? The answer to that quite clearly is yes.

To build on what Mr. Pettersen said, governments are always looking at ways to cut costs. They generally cut in the wrong places—health care, education and things that will help build a stronger country, when there's a perfect place to save a pile of money, in the Senate. The whole bureaucracy that goes along with it is unnecessary. You look to provincial governments. They don't have a body of sober second thought to supposedly tell them when they have made a mistake, and yet that system seems to work quite well. Why does the federal government

need this supposed second body to look over what they've done when, in reality, they don't do that other than on very partisan lines? So it's not representative of the people of Canada and what they think; it's, again, very representative of the government-of-the-day type of thing.

So abolishment of the Senate is the answer. One of the gentlemen at the table suggested that that would require opening the Constitution, as would any other change to the Senate. If we're opening the Constitution and going to have that debate, then we need to have the whole debate about throwing off the last vestiges of colonialism. We're no longer a colony of England. There are a lot of other places in the government that we can save money: the Queen, Governors General, Lieutenant-Governors, all from a past era, no longer representative of a free Canada, not required. The Senate, not required; again, a holdover from a past era.

Governments are elected by the people. The people should be the voice of sober, second thought. If they don't like what the government has done, they can get rid of the government. We don't need another level of government.

Those are basically my thoughts on the matter.

Madam Chairperson: Thank you for your presentation.

Mr. Faurchou: Don't want misunderstanding here insofar as our committee activity is not about opening the Constitution. It's how do we work within the framework, because there isn't anyone that is suggesting sitting down the Charlottetown Accord. Really, basically, anyone interested in opening up the Constitution is, there is no one.

So, basically, what we are intending to do is how do we then work within what we're afforded, and how do we get representation to the Senate that will reflect our regional views? Essentially, that was what the Senate was all about. If you're saying that the population will always drive what is happening, well, then, you best just look to the three or four populated areas across Canada, and that's where Canada, essentially, will be governed.

The Senate, in its intent, was to balance off the regional side of things.

Do you have any comment to that effect, as to a balancing out? Because we are a very sparsely populated—I come from the rural; you come from the

north. So elections are based upon population. Where the Senate comes in is regions.

Mr. Lindsey: I guess my response to that would be, I don't see where the Senate in its present guise has ever represented me in Flin Flon, in any way, shape or form. You're right, I'm hard pressed to say that the government in Ottawa represents me very well. Electing another government to not represent me very well is certainly not the right answer.

I certainly appreciate that everybody on this committee has put time and effort into what they're doing, but the message that I believe they should be taking back to the government is: We came out with the wrong question. It is time to open the Constitution; it is time to abolish the Senate. That's what people in Canada should be telling you.

Mr. Lamoureux: It was interesting in Winnipeg and other communities. It seemed to me that—because there are the two issues: what Mr. Faurchou points out in terms of what our task actually is, and then there are the operations of the Senate.

What I have found to be the case is that if it is demonstrated that there is value to the Senate, and people seem to support the concept of a Senate—and heard very strong, passionate pleas from some presenters saying just how valuable it is. They talk about the palliative care. You know, they talk about the presence on the international scene and many of the types of things that senators do. Yet, a lot of people aren't aware of that.

But, if we put aside the value—you know, if, in fact, we can demonstrate a value, the issue then is how does Manitoba, as Mr. Faurchou's pointed out, select senators? It seems to me that most, and that's why being in Flin Flon, there would be some advantage of hearing what your gut feeling would be in terms of how senators should be elected. One of the things that's being proposed is that there be three in the city of Winnipeg, three in rural Manitoba, two for the south, one for the north. Do you feel that would be better, or would it be better to have all six senators elected at large for the entire province?

* (14:40)

Mr. Lindsey: I guess you really highlighted one of the problems with our present system of government. They don't listen.

Why would I suggest to you, sir, a way to do something to accomplish something that I believe is a waste of time and money? How you go about

electing, selecting, picking, choosing somebody to do nothing would seem to be counterproductive to me. The very fact that you have to put together some program or package to convince people that this Senate that's been around for how many years was actually accomplishing something speaks for itself.

Madam Chairperson: Seeing no further questions, thank you very much for your presentation.

I will now call on Dave Kennedy, private citizen. You may begin.

Mr. Dave Kennedy (Private Citizen): I've prepared some comments on the Senate in general, and they don't all address your questions in the context. But it appears that, anytime this discussion begins, the context in which the specific questions for electing in Manitoba seems to only be a part of the issue. So I'd like to make my comments—most of them, I hope, will refer to your specific questions on Manitoba, but some of them do reflect on the Senate, I think, as all of the presenters have.

I guess, the idea of a bicameral system offering a sober second thought, I agree with it. I think it's important. It may not have worked, but I do believe it does have a place. I think it's become more political in the last decade or so. I don't know whether it's just the sense that we have, or communication with the Internet and television just makes it more political, but I feel it has. I think that the fact that it was set up in a regional context to offset the population concept of the House is very important, and I guess I look to the south to see where I think that system works very well. I would like to see a Senate that does represent the provinces and the territories equally, so that you have an equal representation on a population basis and equally provincially and territorially. Certainly, with 10 provinces and three territories or whatever, at four apiece or whatever, we would have a smaller Senate of 50-some members.

Then I can get specifically, and this may refer to where Manitoba wants to go. They have six members. If they only had four, there would be set up—I think there should be ridings. Then it's a political vehicle. There should be ridings, but these ridings represent a region. They don't represent population, and certainly when one of the members here asked the question, the present proposal of six members of which obviously half would go to Winnipeg, which is what—2 percent of the area of Manitoba; two would represent the lower 30 percent

of Manitoba; and the remaining 68 or 70, obviously the north would get one.

I don't think that's the way it should go, because to me that's Winnipeg first, and the rest of us line up. This would be the serious discussion for Manitoba, even with the six. There is a level of fairness that needs to be resolved, and we have a particularly difficult time because other provinces have more major cities. We really have one center, and all of us feed it. I don't know where we go there.

I think the terms—there should be terms, and they should not correspond to the current House of Commons. I like the idea of something like six-year terms. I think if we have a number of members, they should be staggered, so you don't have a massive turnover. All of this is to somewhat separate the intense political nature of elections and party processes.

I think there should be term limits. I think two terms would be adequate, and I think that, when this becomes more of a political makeup, there is some concern, then, that this body now elected regionally has an equal stand with the House of Commons. It wouldn't. It adds a sober second thought or as it addressed any legislation, the fact that its decisions could be overturned by the House of Commons still leaves the House of Commons as the pre-eminent legislative body in our country. I think in this way this could be set up to make it work, but I guess in general I think the Senate should be elected and I think it should be done properly.

Madam Chairperson: Thank you. Are there any questions from the committee? Seeing none, thank you very much for your presentation.

I'm sorry, Mr. Faurschou?

Mr. Faurschou: Couldn't let you get away from the mike without defending the position a little bit.

So how, then, was your breakdown based upon? We heard one city, one rural, one north, two at large and potentially one dedicated to Aboriginal and Métis population within their own First Nations communities. How would you describe your regional idea?

Mr. Kennedy: Well I didn't—this is the first I've heard that there is a breakdown already proposed. This is the first I've heard that the northern one would be a Métis-First Nation representative.

All this sort of thing bothers me because I get concerned that it's a done deal. This is what really

bothers me. It gets to me that behind the door somewhere it's a done deal. I think it's a very serious issue. I don't know how we have to come to grips with it, but I hope it's done in an open manner. I hope it's done with a lot of thought and consultation because when it's set, it's set for a long time. We don't want to be fighting about this, but it needs to be done in an open fashion.

Mr. Faurischou: Yes, but what I referred to is just an earlier presenter here. There are no parameters yet laid out, and we as committee members have referred to earlier presentations. But there was no format to actual ridings or regions or anything of that nature, so please don't be misunderstanding of what I said. I just asked you what would be your ideal regional representation, as you've described in your presentation.

Mr. Kennedy: I haven't put a lot of thought in that, but just thinking of it very quickly now, perhaps if Winnipeg is our particular makeup for the province, one large city, maybe Winnipeg should be cut off or pied off with larger rural areas, so that maybe there's some equal balance, rather than the rural people not feeling that the Winnipeg portion of them would override their needs and vice versa the rural portion. Maybe perhaps setting Winnipeg itself—this is just an idea: maybe it should extend out in pies to include a mix.

Mr. Jennissen: Actually, Mr. Faurischou, when he raised that issue, do race and gender have a role to play here, Dave, I'm wondering. If there were six senators, if they were elected and it may be forced on us from the feds, should one of those Senate seats reflect the Aboriginal people? It's an open question? If you go that route, now race becomes a factor? Does gender become a factor? Could you then say we expect three of those senators to be women, or men, or is that just dreaming in Technicolor?

Mr. Kennedy: Well, I think that really does open a can of worms. I mean, where do you stop when you do that? Perhaps, as an interim step, I think maybe it is, but as a long-term method—if our country is such that we are all equal participants—and we hope we are—then I don't think it should be.

Madam Chairperson: Seeing no further questions, thank you for your presentation.

If you would add one more person to the list, we have a ninth presenter, Mark Kolt. I will now call on Mayor Tom Therien, private citizen.

Mr. Tom Therien (Private Citizen): I apologize for not having a written submission. I'm not going to say too much more than what already hasn't been—or has been said already.

* (14:50)

My first impression regarding the Senate and its usefulness to Canadians is that outright, I think, the majority of Canadians would wish to abolish the Senate. I, for one, see no practical purpose in it. At the same time I do understand that it is a sober second thought, and it does provide a bit of a check and balance.

However, the current method of political patronage appointment is unacceptable, as it completely lacks an imbalance to party politics. Of the six people chosen in Manitoba, looking at the list, I would venture to say the majority of them are Conservatives who were chosen by Conservative governments, Liberals who were chosen by Liberal governments. The province of Manitoba has had a New Democratic government for a number of years. The province of Manitoba elects a significant number of New Democratic federal MPs, and, yet, there are no New Democrats chosen amongst Manitoba's Senate and probably may never be. I should tell you I am not a New Democrat, but I think it's a fair and equal balance.

I believe it should be of equal balance between province and territories, work similar to the United States' Senate: each state has two senators. They all are of equal value, equal rank, and they all carry the same weight, regardless of size of their state, so two senators from Texas, two senators from Rhode Island, that type of scenario. The Senate should be of similar value and thought process.

Should there be 308 of them to coincide with ridings? No, I don't believe that. Obviously, I do believe in equal proportion. How you split it up amongst the province: there should definitely be someone from the north, there should definitely be—I guess there should be probably more from the city, but that's fine, that's where your population base is, but—every area within every province, every territory should be represented by someone within the system.

It should be based on party politics. There should be an elected Senate. If there's going to be a Senate at all, it should be elected. It makes sense. It should be based on party politics; I understand Nunavut does not do that, but then they can elect

independent representatives, as an independent can run in any election.

So again, I don't have anything further to add than anybody else. That's just my point of view.

Madam Chairperson: Are there any questions from the committee?

Mr. Lamoureux: We have a current system where it's based on first past the post; the person, in this case the MLA, that gets the most votes is the MLA that wins. There is some suggestion that for electing senators or even beyond, that it should be preferential ballot. I don't know if you're familiar with preferential ballot where you would actually pick your first choice, your second choice, and in order for someone to win, they would have to garner 50 percent in order to ultimately win at the end of the day. Do you see any need for changing the current system, first past the post?

Mr. Therien: Actually, that's a concept I've never actually heard of before. There may be merit to it. It does provide for—at least the person representing would have the popular position in that area, riding, whatever you want to call it, so that does garner some merit.

Currently, the way we handle elections is fine; I mean, those that garner the most votes is your representative. That's a fair system. We've been doing it for a number of years. Either method is actually quite acceptable, so I see no reason—if that's the way it goes, at least it gets away from the patronage appointments.

Ms. Marcelino: Mayor Therien, would you favour term limits to an elected senator?

Mr. Therien: Actually, I wouldn't. If there are no term limits for MLAs, there are no term limits for MPs, I see no reason why there should be term limits for senators.

What bothers me the most is that amongst the six people that you've listed in Manitoba, the mandatory retirement age is the limit and to me, that is not acceptable. You go to your 75 whether you do a good job, a bad job, whatever the case may—whether you're even there. That's how this works. If you're accountable to the public, and—let's assume it's a six-year term, and you get elected for four six-year terms—you've obviously been accountable to your constituency for that many times. Why shouldn't you stay until you actually get defeated or choose not to run again?

Madam Chairperson: Seeing no further questions, thank you for your presentation.

I will now call on Greg East, private citizen. Do you have some materials for distribution?

Mr. Greg East (Private Citizen): No.

Madam Chairperson: Then you may commence your presentation.

Mr. East: Hi, I'm Greg East, a private citizen, and I've got a hodgepodge of paper here that I had a friend get off the Internet recently. I discovered something through that process about how little I knew about the Senate. Now I'm a person who speaks my mind on a variety of issues and in fact I had a sign on one of my roofs some years ago about two feet tall by about eight feet in width around the time the senator wouldn't come back from Mexico to attend any meetings and my sign said: "Abolish the Senate." So it's not unlike me to spout off at the mouth about things that I don't know. Anybody that knows me will be able to tell you that. I thought I should learn a bit more about the Senate before I spoke here today, and I've done that and it's been an amazing 24-hour process for me.

I'd like to start off my remarks by asking the folks here: How do you get a senator to wink? I guess you've all heard that joke. You get him to open one eye. Before you can do that you have to get the senator into the Chambers, I guess, and get them attending a meeting which apparently is sometimes quite difficult.

So, what function does the Senate serve is my second question after how do you get the senator to wink. Is it an effective institution? These are rhetorical questions, I think, because I, for one, still favour abolishing the Senate. Is the Senate democratic? No, to the final question. It's not democratic. Is it effective? No. And what function does it serve?

In the last few hours I took the time to do an unofficial survey of our local community. I asked folks that I either phoned or bumped into on the street two separate questions: One, can you tell me the number of senators in our province and can you tell me the names of any of those senators? And I'm going to keep my information to myself because I may set up a company later to do this kind of work, but it turns out that my unofficial survey has gleaned these results: 95 percent of those I asked couldn't tell me the number of senators in the province of Manitoba, and I include myself in that—I didn't know

the number until I got the information from the Internet—and 75 percent of the people asked couldn't name even one of the senators. If you know Sharon Carstairs you can tell her that she was by far the most popular choice for those that—people that remembered one remembered her.

So nobody, with one exception, of all the people that I polled was able to give me two senators' names in Manitoba except for George Njegovan sitting over there. George is 87 years old, ran as a Conservative one time many years ago when a Conservative had about as much chance as a snowball in Hell in winning in Flin Flon. I'd just like to commend George for firstly being here today and, secondly, being the only person, seriously, that I asked that could tell me two senators' names. So, George, good for you.

The fact is that what this illustrates, I think, and the reason for me boring you with this information is that I think this is representative of Canadians at large, certainly Manitobans at large. We don't know—I admit freely that I didn't know until yesterday or today that we had six senators, but I could have told you, as many of the others could, that of the 25 percent that knew one senator's name, they knew Sharon Carstairs' name and I could as well. It tells us that we know very little about the Senate. Why is that? Well, because it doesn't do much. It doesn't have any kind of a profile, and, in fact, it's a redundant institution that should be abolished.

I think some of the previous speakers have spoken very well to this issue, so I'm in favour of abolishing the Senate. The democratically elected House of Commons already represents all Canadians. The Canadian Senate was designed as, and remains, an elitist institution modelled after the British House of Lords which is comprised of hereditary peers and life peers. We know a little bit more about the British House of Lords after the recent Conrad Black fiasco. So the British House of Lords, and I'm no expert on this, appears to me to be an elitist institution and our Senate was modelled after it. That's why our Senate is red, the red Chambers. I learned this from my Internet information as well. That's why the House of Commons is green, again modelled after theirs. That's why the Senate is so opulent. Do we need that kind of an institution? No, we don't.

* (15:00)

Before I run out of time I want to hit on what it costs to run our Senate, and I think that this is an important fact. If we were to ask Canadians, do you

want an elected Senate, or would you prefer to abolish it, apparently when asked that question, according to an Ipsos-Reid poll, 39 percent of those asked were in favour of electing the Senate and 36 percent—almost the same number—were in favour of abolishing the Senate. If those folks had knowledge of what the Senate is, what it does—or doesn't in most cases do—and what it costs to run it, I think that that number would be changed dramatically.

For those of you that don't know, it costs \$130,000 a year for each senator's salary; 200,000 when you roll in perks and other privileges; and actually over \$500,000 a year if you divide the total cost of running the Senate by the number of senators. It comes out to well over \$500,000 a year per senator. I submit to you that if we had just one of those senator's salaries, we could keep the CBC northern station with Mark Szyszlo running out of Thompson. Another senator, we get rid of the next one, and we could run La Ronge for indefinitely, I'm sure it doesn't cost any more than that.

When I was involved in SGEU for a number of years, Saskatchewan government employees' union, we had a dual system where we had a bargaining arm and an executive arm. Didn't work very well. Amongst ourselves, we used to sort of mirthfully refer to it as the two-headed monster, and it was. Everybody thought they had power and that the other guy shouldn't have. If we made the mistake of electing the Senate, it would give the senators further delusions of grandeur and I think encourage them to impede the process of democracy even more greatly than they do presently.

I've got—just something I'd like to quote from briefly. Tom Brodbeck, who is a columnist with the Sun Media chain, recently wrote a column describing how to solve the problem of the Senate. I don't know if any of you saw it or not, but he said there was an easy way to abolish the Canadian Senate without amending the Constitution or without passing a single piece of legislation. I won't read it all for you, but essentially it was through attrition. At the point where he wrote this column, there were only 87 senators and Mr. Harper was steadfastly claiming that he wanted Senate reform and didn't believe in appointed senators. Of course, we all know that he immediately appointed 18, or shortly thereafter appointed 18, and taking that number from 87 to the present 105. As Mr. Brodbeck pointed out in this article, through attrition we would have—if those 18 wouldn't have gotten appointed—two more years from now, we would have had 12 more bumping off the

other end of the chain at their 75th birthdays. It would in fact have taken 22 years to get rid of the last senator, New Brunswick representative Pierrette Ringuette, a Liberal appointee who got her plum position at the tender age of 47. She'll turn 75 in 2030. Well, now this is all behind us because of the appointments, but I guess it was tongue in cheek that Mr. Brodbeck wrote this, but it would have been a great way to solve the problem which apparently getting seven provinces representing 50 percent of the population, or some say all 10 provinces, to agree to a constitutional change wouldn't be easy. Doesn't mean we shouldn't try to do it.

The Senate doesn't work, isn't effective, isn't democratic. It's a waste of money. I'm part Scottish—and I'm not sure where the other part comes from—but I'm a bit of a fiscal pragmatist especially where it comes to my tax dollars. When it's pointed out to me through these documents that 130 grand basic salary, 200 grand with perks and travel expenses, \$550,000 per senator, when you include the heat and the rent on the building, I guess, how is that justifiable?

The gentleman to my left, after Mr. Lindsey's presentation—which I thought was excellent—where he quite unequivocally stated that he was in favour of abolishing the Senate, I believe you asked him how he would like to see the seats dispersed in the province. You may have heard a hoot from over there; that was me, because I think his response was excellent. What you did, sir, was demonstrate that politicians sometimes just don't listen. I don't know if you're a politician or not, but I don't think you were listening because if you had been listening to him, you wouldn't have asked that question.

So with that, I close my—Abolish the Senate, I say.

Madam Chairperson: Thank you for your presentation. Are there any questions from the committee? Seeing none—Ms. Marcelino.

Ms. Marcelino: Not a question, but just a comment. This is our—is it our sixth?

Madam Chairperson: Eighth.

Ms. Marcelino: Or eighth. While some presenters offered their thoughts and advice on how an elected Senate should come into being, there are also a good number of presenters who have the same opinion as you espouse today, which is to abolish the Senate.

It's not a question, just a statement.

Madam Chairperson: Thank you for your presentation.

Mr. East: You're welcome.

Madam Chairperson: I will now call on Dan Reagan, private citizen. You may commence.

Mr. Dan Reagan (Private Citizen): Thank you very much for being here.

This is actually quite a surprise. We don't have any senators representing northern Manitoba, but it's very nice that you're going to come up and ask us some questions. I do note that on July 12, I think of 2009, which is not far from now, perhaps the Government of Canada might have in their wisdom when they have to appoint another Manitoba senator, might consider somebody from northern Manitoba. That's a hope, I guess, rather than anything else.

Certainly listening to the individuals before me, a lot of the points that I will make will obviously be a lot that have been covered. I do think that it's noteworthy that 50 percent of the people that come up to speak, they have one major point and that is to abolish the Senate. I'm sure you probably hear that everywhere because when I hear somebody say it was 40 percent of the people who'd like to—I'm absolutely amazed if you ever took a vote that it would be anything under 80 that would like to abolish the Senate. I'm not saying I'm for or against it, but I think that that's actually what the public sentiment is.

I think everybody talks about some of the major problems that we have with our present system that, quite honestly, the partisanship that we have now does not allow for a true cross section of our province to be represented at the Senate level. Essentially they're all city people. I noticed that, with some interest, they indicate they might look after the Interlake, they might have some of those areas, but essentially they're all city people, you have high-profile people who have been involved in politics or other things to some degree. Quite honestly, they're probably very good people. In actual fact, they do not represent all of Manitoba, and I think that is really quite clear.

I think that the no limits on terms leads to significant abuses. Mr. East talked about the senator that was called back from Mexico. Can you think of any more of an abuse than that? The abuse comes because they don't have to respond to a constituency. They don't have to be elected. They've got their \$130,000 job for life at that time. I don't think it was

75 at that time. So those are some of the significant things that people in the country, they centre on. This is what they see.

There is no pressure to perform, because you don't have a constituency to respond to. It really doesn't matter. There's no pressure to perform. I think that anybody in any job, you need that pressure. You need pressure to perform. You have to respond to a constituency. If you're a person in a job, you have certain expectations, outcomes, things to do and you have to respond to it. Even Mayor Therien isn't here for life. He has to respond to the people of Flin Flon; every four year they get a chance to turf him out. We need that actual type of thing, otherwise there's absolutely no pressure to respond. Actually I think what we know is when there isn't any pressure to respond, people rise to it, and that's what a lot of our senators do. There is no pressure to respond to anything.

There's no respect from the Canadian people. I don't need to go into that any further. There's no respect. They don't know what the Senate does. If you go backwards and say, hey, an individual was elected for a certain amount of time, and he represented a region, they wanted to keep that job, they would make sure that the constituents knew what they do. I here from some members saying that they actually do some good things, and I'm sure they do, but unless they have to respond, unless they have to go to a constituency, unless they're judged it doesn't matter. That's what has happened. That's what we have today, not responding because they don't have to respond. You know they are very good people. Sharon Carstairs was a very good person. Mira Spivak is probably a very good person, but, in actual fact, you need that in the whole system.

Do we need a Senate? I'm not sure, but that's really not the question that's been asked. Obviously we have one. I think there might be senators who would like to get rid of it. It's not going to happen. So I think what we have to respond is, as long as there's one, how do we have our input? How do we become part of it? I think somebody said six seats. There have been suggestions about how to divide it. Probably not a bad idea. The only thing I would say within that is that there has to be absolutely, essentially provision for an Aboriginal Senate. Our province requires it. We have a significant portion of our people. A lot of our problems—if there's any group of people in Manitoba who have had significant problems, we know through their living conditions, job conditions, things like that. It's

absolutely embarrassing that there is not an Aboriginal senator from Manitoba. That isn't even reasonable. You've got the city of Winnipeg, you've got rural Manitoba, northern Manitoba, we have a significant percentage of our population as Aboriginal and it does require that type of representation.

*(15:10)

I would see senators actually bringing forth the types of issues that are from their region. That's why it has to be regionalized. We don't need six people from Winnipeg bringing forth the issues from Winnipeg. You need one person bringing forth the issues that way. The issues of Winnipeg are not the issues of northern Manitoba. And you can't append that to a person from Winnipeg and say, well, you can represent northern Manitoba, which is quite often done. You can't do that. So we do need a representative from northern Manitoba. We have a significant portion of the province. We have industries that are only here in northern Manitoba—significant industries in the province of Manitoba. We have the mining industry. Where does it happen in Manitoba? Northern Manitoba. How important is the mining industry to the economy of Manitoba? We have nobody defending it or putting it forth in the Senate.

We need rural people, we need agricultural people. And I'd say the third region would probably be the Interlake and the lakes—that type of life, the fishing and things that go on in the Interlake—and then a couple from Winnipeg. Sure. It needs to be done that way.

I don't know how you do the election with the Aboriginal person. I can see the others can be very easily elected. I think Mr. Phillips spoke very eloquently about a ways of doing it and things like that. I would support those.

The party system—should get rid of it. A lot of the people that we have and they're high-profile people could and should get elected regardless of the party system. Would Sharon Carstairs be elected? Probably. Even though there's not too many Liberals in Manitoba—sorry Kevin. But in actual fact, she could stand and probably get elected because people know her, understand her, take a look at her contribution. If that was put forth, I think people would rise above the party thing and would elect individuals who have promoted their region, been part of their region, been part of the provincial scene. I think that would override, and that's the type of

people we do need in there. We do need good people in there. So I really think that the party system can and should take a back seat to it.

As to the numbers in the provinces and things like that, how many from each province. I'd say as long as each region got represented—I mean, I don't think it's too bad now. I mean, hey, what is it, a minimum of four senators? I mean Ontario and Québec have nowhere near the proportion they would get if you did it proportionally, but they certainly have enough people to put forth their points of view.

I guess those are the major points that I would like to make. A lot has been covered before. I don't have it written down obviously, but those are my points of view.

Madam Chairperson: Thank you very much. Are there any questions from the committee?

Mr. Jennissen: Let's say if there was an elected Senate and we had six senators and one from northern Manitoba. I could see us running into a problem if it was purely an Aboriginal for northern Manitoba, because the Métis community might say, well, we wanted a Métis senator, or the northerners that are not belonging to either one of those groups would say, well, what about the rest of northern Manitoba? I guess that would—

Mr. Reagan: It absolutely could not be tied to race. Absolutely, unequivocally, not. That would be the most dividing thing you could ever do in a place like northern Manitoba because if, yes, we will have a northern Manitoban who's of Aboriginal descent, that would cause unbelievable problems. I think the Aboriginal person should be one of the six and there should be a way and means of doing that, having that person provincially elected, provincially nominated, or even appointed. I wouldn't be against it for that particular point of view, but definitely not tied to a region.

Madam Chairperson: Thank you. Any further questions?

Mr. Lamoureux: In terms of municipal, provincial or federal, with what would you think would be the—or a stand-alone? What do you think would be the better way to actually have a senator elected?

Mr. Reagan: I think stand-alone. I think stand-alone. I think it's—if it were ever to be an effective Senate, I think it would have to be different than our regular politics. I think the roles would have to be

different and the only way it would be seen to be different would be for us to go alone and do it.

Madam Chairperson: Thank you. Any further questions? Seeing none, thank you for your presentation.

I will now call on Gregg Whyte, private citizen. Please begin your presentation.

Mr. Gregg Whyte (Private Citizen): Thank you.

These guys stole my thunder. To me government—less is more, I think. Anytime you can get rid of waste and foolishly spending money on virtually nothing, like—well, the list goes on and on. So I'm for just getting rid of them all together because they don't really do anything that I can see. Anyway these guys already said all that I had to say.

Madam Chairperson: Thank you. Are there any questions from the committee? Seeing none, thank you, Mr. Whyte.

I will now call on Mark Kolt, private citizen. Please begin your presentation.

Mr. Mark Kolt (Private Citizen): Thank you.

I'd like to take to heart some of the comments that were made from the committee, to the effect that Charlottetown and Meech Lake proved that reopening the Constitution is a rather difficult thing to accomplish, and that it's fundamentally not what this particular committee was struck to do. As interesting and potentially valid as the goal of abolishing the Senate might be, you need to know what to do in terms of the report that you're going to prepare. At a certain point it's like going to McDonald's and ordering steak and lobster. I mean as much as it might strike one's appetite as the right thing, you're just not going to get it.

On the point that you're interested in, which is how you would elect senators, if that is the task that was set to do, I think the suggestions that a representative be set aside for northern Manitoba is a very useful and a valid one. Northern Manitoba has a lot of very distinct features to it in terms of the geographical area. I think that, although the population in this area is perhaps a little less than in some of the other regions, it's very difficult to have someone who isn't closer to the sorts of issues that we have here to be able to address them effectively on a political level.

I would like to register some concern about the suggestion that a member be set aside for First

Nations or Aboriginal, not because the thought doesn't come from a good and worthy place. I think the idea of greater participation by the First Nations and Aboriginal in Canada's political process is something that should be fostered in a lot of ways. However, if I look at the representation in northern Manitoba, among our MLAs, at least, I think that the high population in northern Manitoba of First Nations does, over the course of time, reflect itself in representation by those particular groups, in that that gets us around questions of what constitutes a First Nations person who would be entitled to vote or be selected. The Indian Act has some pretty arbitrary distinctions which were bitterly resented by people who for rather arcane reasons fall just a little bit outside it. Even before you get to the broader question of whether race is an appropriate selection criteria, in and of itself, to entitle one to speak to issues affecting all of Canada, I would just as soon leave it to having a northern seat and letting the demographics of it produce the type of result that is being sought.

I guess the two other issues that were raised, my own sense is that a lifetime term as we have now, if you're going to elect people, the reason to do that is to have it reflect current views, and that would be difficult to do with a lifetime appointment. So I would, myself, be more comfortable with some sort of term limit. The idea that it not be exactly the same as the members of the House of Commons seems to be appropriate for the role of the Senate as it is currently conceived. So something a little bit longer. There was one—six years would be fine.

There was also a question earlier as to whether it would be more appropriate to have the senators be designated through municipal, provincial or federal elections. As for myself, I'm sort of partial to the idea that it would be through municipal. I mean that takes it—municipal politics is probably where you have the least involvement of the broad national parties. Certainly, there were quite a few presenters today that indicated that untying it somewhat from the big national parties would be a positive thing. I think going to the municipal level would be one practical way of achieving that.

That's my presentation. Thank you.

Madam Chairperson: Thank you very much. Are there any questions from the committee? Seeing none, thank you very much, Mr. Kolt.

That concludes the list of presenters that I have before me. Are there any other persons who wish to make a presentation?

Mr. Faurschou: Madam Chairperson, I think it would be wise if we did, perhaps, take a 10-minute break and see if there is anyone else in the room that has other thoughts they may want to bring forward, and give them a chance to chat amongst themselves, as we've done in other locales.

Madam Chairperson: Is the committee willing to take a 10-minute recess and reconvene to see if there are any others? Agreed? *[Agreed]* Thank you.

The committee recessed at 3:20 p.m.

The committee resumed at 3:35 p.m.

Madam Chairperson: Order, please. I wonder if the committee could return to the table.

Order, please. I wonder if the committee members could return to the table, please.

Thank you very much. Our 10-minute recess has expired and, as I say, this concludes the list of presenters I have. Are there any other persons who have decided to come forward and make a presentation to the committee?

Seeing none, the hour being 3:36 p.m., what is the will of the committee?

Some Honourable Members: Committee rise.

Madam Chairperson: Committee rise. Thank you very much.

COMMITTEE ROSE AT: 3:36 p.m.

**WRITTEN SUBMISSIONS PRESENTED
BUT NOT READ**

Mr. Gerard Jennissen MLA
Flin Flon Constituency

Dear Gerard,

Please excuse my absence from your meeting on Senate reform as I am coaching at a youth soccer tournament and am unable to attend in person. Let me begin by saying that I do not consider myself an expert in the area of politics. The opinions stated here are personal opinions and are not highly researched, given the time frame of my prior knowledge of this meeting. Having said that, I see the current senate organization as such as canker

on the body of governmental affairs that I could not resist a chance to participate in any democratic efforts to cauterize it.

When I think of the senate, the following concepts come quickly to mind; political baggage, political patronage, indexed pensions, lifelong appointment, absence of accountability, and political biases. In the following paragraphs, I will try to outline my perspectives on why I believe that these words outline the problems with the current system. In concluding, I will attempt to put forth some suggestions which I feel might help to revitalize this political cadaver.

Is the senate necessary in the current political environment? I understand the need for historical perspective in governmental affairs, and I can also appreciate the necessity of having people with considerable political experience providing input on the shaping of our legislation. I see the counterpoints in wondering how many senators we need in order to make good decisions, and how effective people this removed from their constituents are likely to be. The term "out of touch" comes to mind.

I do not understand how or why outgoing prime ministers have the ability to reward political service with appointment to the senate. This strikes me as both unfair and bordering on illegal. The political system is designed to serve the citizens of Canada, yet they have no direct say in the makeup of a body that impacts the legislation in our country. The fact that there are no party limits on the numbers of representatives allowed to populate the senate indicates to me that this is an institution that must be inherently biased by the nature of its appointments.

I am stunned to think that political officers have the ability to access indexed pensions, an asset that is beyond the reach of many of the Canadians that this group are supposed to serve. While many seniors struggle to maintain a decent standard of living in the face of fixed incomes and rising inflation, senators continue to live off the sweat of others. I am not opposed to people being compensated for their service and efforts, but I feel that an indexed pension for work which I feel is of secondary political importance is an unnecessary benefit.

I do not agree with the length of time that senators hold office. If I understand the process correctly, and they are appointed for life, or until they choose

to retire, the current system is flawed. There is a limit to the effectiveness of any individual in the same position. I believe varying the mix of senators on a more regular basis would provide for greater energy, increased political dialog, more ideas, and less group polarization along political or personal lines.

I am reminded of a newspaper story several years ago of a senator that was finally reprimanded by the senate. He missed numerous votes, was frequently absent from the House and it turned out that he had to be recalled from Mexico when he was supposed to be working. I wonder how closely the senators are monitored, who they are accountable to, and why the system would not catch senators such as this earlier.

Finally, I do not see how the senate can be free from political bias. Since positions are appointed by the government leaving power, over time the senate must become overloaded with the appointments of the ruling governments. If this is the case, parties such as the NDP which have seldom formed the federal government would have little say in the Senate. I would also believe that bills put forth to the senate from the party that appointed the majority of the senators would have an easier time receiving Senate approval, which taints the objectivity of this group.

If these then are the perceived problems, what are the potential solutions? I humbly suggest the following ideas which might help to alleviate some of the problems that I have outlined.

I would suggest that the size of the senate be reduced. If the Supreme Court of Canada, which makes some of our most critical decisions in the area of law, can operate with seven members, I fail to see a senate needing more than thirteen people. Too many people reduce the effectiveness of any decision making, and if the workload is too extensive for that many people, then the house should have to prioritize which legislation is important enough to require senate approval. I don't believe that every piece of legislation needs to go through the senate, otherwise why do we elect the members of parliament?

I believe that the Senate needs to be elected on a regular term. This allows the average Canadian to participate in the political process. I feel that the senators should have a term that is longer than that of

governments as their experience is an asset. Senator's terms should be staggered so that a certain number of senate positions come up for election in each federal election. This would ensure that there is continual mixing of senate positions, and that the expenses of Senate election can be piggybacked upon the costs of running a regular federal election.

I believe in representation by population, but I think that a format needs to be adopted so that Western Canada, Eastern Canada, the Northern Territories, and Central Canada are guaranteed representation by at least one senator in the Senate. I think that a senator should not be able to run for office for more than three terms, or the equivalent of twelve years.

I do not have a problem with paying senators during their time in office, or allowing them tax breaks or payroll deductions that can be applied towards retirement plans as I recognize that they may have left well-paying careers to serve in government. I don't believe that they should receive indexed pensions or that the government should continue to pay their pension for life, based solely upon years of service in government. The pensions that these people earned before they went into office should be supplemented by the pensions that they earn in office, but not be supplemented ad infinitum following the end of their term.

Finally, I would suggest that absenteeism is monitored in the Senate chambers just as it would be in the working world around us. Standards for attendance should be established when a senator takes office. Statistics on the attendance/participation of each senator need to be public information and should be reported regularly to all parties in the House. Persons that are not meeting their standing should enter a process which ultimately leads to removal from their Senate position. Positions that become vacant in this manner would be included in the voting for available senate positions in the next election. The seat could be filled on an interim basis by an individual that was voted in through a free vote by all parties represented in the House of Commons.

In conclusion I would like to thank the members of this panel for the opportunity to express my opinions, and I hope that my opinions may be of some assistance in working towards a collective restructuring of the Senate. As a taxpayer, I see the operation of the current Senate in the same light as the Gun Control Registry. I feel that both initiatives are highly ineffective and a massive waste of tax dollars during a period of time when that money could be used more effectively to benefit the citizens of our country.

Dean Grove
Flin Flon

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