

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

Chairperson
Ms. Erna Braun
Constituency of Rossmere

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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

Monday, February 2, 2009

TIME – 6 p.m.

LOCATION – St. Laurent, 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, Faurchou,
Lamoureux, Martindale, Nevakshonoff,
Pedersen

WITNESSES:

Mr. Hugh Sigurdson, Private Citizen
Mr. David McLelland, Private Citizen
Mr. Louis Allain, Private Citizen
Mr. David McKinnon, Private Citizen
Ms. Frieda Krpan, Private Citizen
Ms. Michelle Forrest, Private Citizen

WRITTEN SUBMISSIONS:

J.G. Levesque, Private Citizen

MATTERS UNDER CONSIDERATION:

Consulting with Manitobans on Senate Elections

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Madam Chairperson: Good evening. 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 begin, we will go around the table and let the members of the committee introduce themselves.

My name is Erna Braun and I'm the MLA for Rossmere.

Mr. Doug Martindale (Burrows): Doug Martindale, MLA for Burrows in Winnipeg.

Mr. Gregory Dewar (Selkirk): I'm Greg Dewar, MLA, Selkirk.

Mr. Tom Nevakshonoff (Interlake): I'm Tom Nevakshonoff, MLA for the Interlake and MLA for St. Laurent after 2011, so my pleasure to be here.

Mr. Kevin Lamoureux (Inkster): Threw me off. I'm Kevin Lamoureux and I'm the MLA for Inkster.

Mr. Blaine Pedersen (Carman): Blaine Pedersen, MLA for Carman.

Mr. David Faurchou (Portage la Prairie): David Faurchou, MLA for Portage la Prairie.

Madam Chairperson: Thank you.

A written submission from J.G. Levesque has been received and distributed to committee members. Does the committee agree to have this document appear in the *Hansard* transcript of this meeting? [Agreed] Thank you.

We have a number of presenters registered to speak this evening as noted on the presenters' lists before the committee members and at the entrance to the room. Before we proceed with presentations, I just have a few notes for all those in attendance. First of all, if there is anyone else in the audience who would like to make a presentation this evening, please register with staff at the entrance to the room.

Also, for the information of all presenters, while written versions of presentations are not required, if you would like to provide 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 committee members.

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.

For the committee's information, we have a request from Louis Allain, presenter No. 5, to make a presentation in French, and we do have translation staff on hand tonight. With this in mind, what is the will of the committee regarding the order of

presentations? *[interjection]* Just as information, he does not appear to be here yet.

Mr. Pedersen: I guess I'll wait then until he comes. I was going to suggest he goes first. I guess that's not going to happen.

Madam Chairperson: It was brought to my attention that he isn't here currently, so perhaps at the time that he appears, Mr. Pedersen, you might be able to make a suggestion.

The proceedings of our meetings are recorded in order to provide a verbatim 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 the signal for the *Hansard* recorder to turn the mikes on and off.

Mr. Martindale: Madam Chairperson, with leave of the committee, I would like to suggest that we extend the five-minute question period because we only have five presenters registered, and I think we can trust committee members to use their discretion and not drag it out, but it would seem that we could probably have a pretty good dialogue tonight with a few presenters.

Madam Chairperson: Is it the will of the committee that we extend the five-minute question period to allow for everyone to ask their questions? Agreed? *[Agreed]*

A further question to the committee: Is it a general extension, or shall we extend it say to 10 minutes?

Mr. Lamoureux: I think for this evening just to classify it as a general extension, and we'll just use committee members' discretion, which I'm sure will be appropriate.

Madam Chairperson: Is that agreed that it be a general extension? *[Agreed]*

I will now call on Hugh Sigurdson, private citizen. Do you have materials for presentation?

Mr. Hugh Sigurdson (Private Citizen): I have copies.

Madam Chairperson: Mr. Sigurdson, please proceed with your presentation.

Mr. Sigurdson: Thank you. My name is Hugh Sigurdson. Welcome to St. Laurent. Thank you very much for coming here and giving us the opportunity to speak on this very important topic.

Just to give you a little bit of background on myself, I'm a long-time resident of St. Laurent. I've been an R.M. councillor for six years. I've spent 33 years in education here in St. Laurent as a teacher and principal, and then I spent three years with Manitoba Education, Citizenship and Youth in the MB4Youth Division where my role was youth citizenship and leadership. In that role, I had the opportunity to spend a lot of time studying and learning about the democratic process and parliamentary democracy.

In fact, Kevin and I were both on the same committee that worked on the—Manitoba institute on parliamentary democracy, Teachers' Institute on Parliamentary Democracy, so I have read and thought a lot about the Senate and the Governor General and the democratic process.

I might stray a little bit from the beaten path when it comes to how should we elect senators. I hope you'll be patient with me because I think it's all relevant to, you know, to the topic we're talking about is how to elect senators.

So I'll proceed with my presentation. I'll give you a little bit of background first and I'll tell you what I really think, and then I'll answer your question about how should we elect senators. So, in any case, in his book *How Canadians Govern Themselves*, Eugene A. Forsey, recognized as an expert on Canada's Constitution states as follows:

The Senate can initiate any bills except bills providing for the expenditure of public money or imposing taxes.

It can amend or reject any bill whatsoever.

No bill can become law unless it has been passed by the Senate.

In theory, these powers are formidable, but the Senate rarely rejects a bill passed by the House of Commons and has very rarely insisted on an amendment that the House of Commons rejected.

In other cases, the Senate has adopted bills before the end of the session, thereby effectively stopping them from becoming law.

I think this is a key point that the Senate actually does have the power to prevent laws from coming into force. Giving the Senate that is not elected by the people the power to block legislation approved by the House of Commons, which is elected by the people, seems to be contrary to the democratic process. It is my opinion that a Senate is not

necessary and should be abolished. I know that's not the question that you asked, but that's my opinion.

Forsey also says the Senate's main work is done in its committees where it goes over bills clause by clause and hears evidence, often voluminous, from groups and individuals who would be affected by the particular bill under review.

That's something that a lot of people don't really realize. They don't know that and that may be a very valuable function. It seems to me that this role could easily, however, be performed effectively by MPs and civil servants from various departments. Again, I say, abolish the Senate. If government insists on having a Senate, to me it should be elected by the people and answerable to the people, which is what this hearing is all about.

*(18:10)

But consider the following points. There are 105 Senate seats at present, and to me this is far too many. Representation by province is disproportional. For example, Nova Scotia and New Brunswick, if I'm not mistaken, have 10 each while Manitoba, Saskatchewan, Alberta and British Columbia have six. If you look at the population figures, it is disproportional and I'm not sure why.

Appointed senators hold office until age 75 unless they miss two consecutive sessions of Parliament, which actually can be a long time. Talk about job security. What other Canadian worker has that kind of job security? So there's a big question mark there.

If we must have a Senate it should be elected for a definite term, be representative of provinces proportionally based on population and the number of senators overall should be lower. That's my opinion. I know that's not the question that you're asking, but, like I said, that's my opinion and I'm sticking to it.

Looking at the Senate without examining our whole democratic process as well is difficult and our process does need looking at. We're looking at the Senate in isolation of all the other parts of our parliamentary democracy, which includes the Governor General and the House of Commons as well and also the provincial governments.

For example, in the last election the Green Party received almost a million votes and had no seats, while the Bloc Québécois with 1.4 million had 50 seats. There's something basically wrong with that.

No wonder voter turnout is low. One million voters have no representation. We need to get rid of or modify the first past the post system in our electoral process. That's, again, a little bit off the point, but I think you can't really consider the Senate in isolation from everything else.

Here's the connector: also, majority governments are a thing of the past. If you've been watching the federal situation there, majority governments are a thing of the past. I don't think we'll see a majority government again in years unless something drastic happens.

Elections should be every four years, which would force the parties to work together. If this were done Senate elections could be also every four years. This is the way our municipal system works. I'm a municipal councillor and it worked very well. You have to get along for four years and make things work. There's no out. There's no going to the Governor General and calling an election, and it would be the same for senators.

As for the numbers in the Senate, there should be a minimum of one per province or territory—my opinion—and a maximum of four. This would probably result in the following breakdown based on population: the territories would each have one, for a total of three; the west would each have two, for a total of eight; Maritimes two each, for a total of eight; and Ontario and Québec four each, for a total of eight. This would be more proportional to the population statistics throughout the provinces and territories of Canada. So, you'd end up with a Senate of 27, which is far more reasonable in my view than a Senate of 105.

Now, to the question: How should Manitobans elect senators? You probably thought I'd never get there, but I'm there. So, in my opinion, if we are to remain at six senators, which I believe Manitoba has designated now, my belief is that we should go by a combination of regions and population with, for example, one northern senator; two rural senators, including the smaller cities like Brandon and Portage; and three from Winnipeg. That would represent each area and also take into consideration the population demographics of Manitoba. These regions should be divided into six separate constituencies and voters would vote only in their own constituency. I think, to me, that seems the fairest way to do it.

Senators should be elected at every federal election so they're there for as long as the federal

government stays in power. The senators are there, and if we go to elections every four years, it would be a four-year term. If we stay with the same system that we have now, if the government falls after 18 months, we have elections for senators again.

Candidates should be nominated by any recognized federal political party or run as independents. Now, there are many federal political parties, but I think in reality what you would end up with is that the four main parties—five main parties, if you include the Green Party—would nominate in the various provinces. There'd also be that contingency that anybody could run as an independent.

Now, when I came in, I looked at your handout, and I looked at the first page where it talks about context. I think I've answered most of your questions with regard to what, you know, you wanted to know in terms of what method we should use. Should it be proportional representation, et cetera? If there's anything I haven't answered, you can feel free to ask me. But, in conclusion, my view is that the Senate should be abolished, but if not, then drastically reduce the number of senators and have them elected by and answerable to the electorate. That's the key: answerable to the electorate.

I guess to conclude, my final comment is that having a body that can block legislation who are not elected by the people is just not right. It shouldn't be part of our democratic process because it's not democratic. I rest my case.

Madam Chairperson: Thank you for your presentation.

Mr. Martindale: Yes, thanks for coming this evening, Mr. Sigurdson. If I could summarize your brief, you recommend, first of all, that the Senate be abolished, but if that's not going to happen, then you would prefer senators elected from constituencies, perhaps by proportional representation and representing all regions of Manitoba. Is that correct?

Mr. Sigurdson: Yes, that's correct.

Mr. Martindale: If we were to use proportional representation under your scheme, we wouldn't really be able to do that with one northern person and with two rural; you'd probably end up having them from the same party. But it might work in Winnipeg where you have three senators. Is that how you would see it working?

Mr. Sigurdson: Well, I think if you look at the political map of Manitoba as it's been over the last

number of years, you'll see that the boundary lines are pretty clear if you look at orange, red and blue. I don't think there would be a big discrepancy in the representation from each region. I mean, obviously, the north would be orange and the southern Manitoba would be blue and Winnipeg would be a mixture.

It's going to take some study and that maybe having a boundaries commission, like we had recently in Manitoba where we relooked at the provincial boundaries of the constituencies, would be a good idea. But there are other systems that could work. For example, Ontario and B.C. both looked at different systems for electing their members of the legislative assembly, and they came up with a couple of really good ideas. If you look at Europe and Australia and stuff like that, they have different concepts of what's the fairest way. My example of the, you know, the Green Party having a million voters, again, that's not fair that they have no seats. So, to me, that's open, and whatever system works the best so that everybody is represented, I'm fine with that.

Mr. Martindale: In my view, an elected Senate would have more credibility and it would feel more powerful. Then there's the possibility that, because of that, they could rival or interfere with the work of the House of Commons. So how would you deal with this situation so that the House of Commons, which would continue to be representation by population and really the people's Parliament, would be supreme—or how would you deal with deadlocks between the two Houses?

*(18:20)

Mr. Sigurdson: Anyway, as I stated in my presentation, as Eugene Forsey said, the main function of the Senate really is to sit on committees and consider legislation, and I would make that their main role. I would not necessarily give them the power to obstruct or deny the passing of laws that are passed in the House of Commons.

Mr. Dewar: Thank you, Mr. Sigurdson. Thank you for coming. As you know, currently, as you said in your presentation, we have six senators that represent Manitoba. Their term is until they reach the age of 75 and, of course, they all reach the age of 75 at different times. One will retire this year, one in 2013, three of them will retire in 2017 and one in 2021.

So do you have any suggestions on how we deal with this?

Mr. Sigurdson: Well, I guess we could do like Ford or GM or Chrysler and just lay them all off and start over. I don't know. I never thought about that aspect of it, but if new legislation comes in regarding the Senate, I think we'd have to start from scratch, and say, okay, sorry, but you're all gone, and yes, you can put your name in run again and there you go.

Mr. Dewar: It would be much like the House of Commons when the House of Commons is dissolved, all members are up for re-election. You're suggesting that the same thing be done with the Senate.

Would you suggest, maybe, term limits on senators?

Mr. Sigurdson: Excuse me, I didn't hear your last.

Mr. Dewar: Term limits.

Mr. Sigurdson: Term limits, I don't think that's necessary. There are no term limits on MPs or MLAs. If you're worthy enough to be elected for two terms or three terms or four terms, then that's fine as far as I'm concerned.

Mr. Pedersen: Thank you for your presentation. I note in here that you're suggesting if we have to stay with the route of electing senators, which you have made very clear that you're not in favour of, but if we do, and you're suggesting 27 senators, you have a breakdown in your presentation, and the Senate has been described as a sober second thought of Parliament, do you think 27 senators would be adequate for such a vast country as Canada?

Mr. Sigurdson: Manitoba doesn't have a Senate. We seem to do just fine without a Senate. So I think we should minimize the numbers. How many Cabinet ministers are there in the federal government?

Mr. Pedersen: I believe, is it 30, 33?

Mr. Sigurdson: So 27 would be pretty close to the mark if you have each senator responsible for one portfolio. I think that would work quite well.

Mr. Lamoureux: In other presentations people have commented in terms of political affiliation and the benefits of having a political-affiliated Senate versus one where it's more independent.

Do you have any thoughts in terms of after a senator has been elected, is there benefit in terms of saying, for example, they would have to surrender any party membership which would disallow annual general meetings, so they're not caucusing based on parties, maybe caucusing on other things.

Is there any benefit to something of that nature, do you think?

Mr. Sigurdson: I've given that some thought. Really, it's pretty difficult to take a label off of anybody because everybody knows what party affiliation people have. And, you know, if suddenly, for example, Ed Schreyer ran for senator, I think we'd all know what party affiliation he has. So I don't think there's any benefit to stripping those people of their party affiliations.

And, as far as how they function in the Senate, my comment with regard to the House of Commons where there's never going to be a majority government or it's going to be very rare to have a majority government, these politicians are going to need to learn to work together, whether you label yourself as NDP or a Liberal or a Conservative or Green, or whatever.

These people are going to have to work together for the benefit of Canadians. To me, this is the major point that's going to have to be made with all of our politicians, is that you have to do that. You can call yourself whatever you want, but the bottom line is you're there to work for Canadians, and you're there also to listen to other people's points of view and to a large extent to make compromises to accommodate different portions of the population.

So I don't think party affiliation should be a problem. Sometimes it is, but it shouldn't be.

Mr. Lamoureux: Very quickly, you make reference to senators getting elected during federal elections. Would you have any opposition if they were elected during provincial elections as opposed to federal elections?

Mr. Sigurdson: Well, I thought about that a little bit as well. I guess a lot depends on what system each province has in terms of provincial elections. Ideally, like, if you look at the American system, where you have every four years is one election and then the alternate four years is another election, it sort of makes it a little bit more, I guess, contiguous. In other words, there's always some continuity in who you have in government.

I would really think that having it attached to the federal elections would make more sense, because when you're talking about issues with regard to the federal government and federal issues, it would make more sense to elect your federal senators at the same time as you're electing your federal MPs, as opposed to on various years. Then, you know, the turnover

would all happen at one time instead of, like, you have 10 provinces and three territories. I mean, you could have an election every six months and changes in the Senate every six months.

So I think consistency is important and giving people a chance to work together and get to know each other and develop that trust with each other would be important. So, I guess my opinion, bottom line is, I think it should be at the same time as the federal elections.

Mr. Nevakshonoff: Hi, Hugh, nice to see you again. Obviously you've put a lot of thought into your presentation, and I agree with you that the best case would be simple abolishment, but that's probably not going to happen. There's more of a movement toward elections for senators which would make it more representative. So if they have to be elected, obviously they're going to have to go out and campaign, and that means they'll have to fundraise. I know from a provincial perspective that there is a limit as to how much we can spend as candidates on a campaign, and there are limits as to how we can raise money for elections as well.

You probably are well aware that when we became the government in 1999, one of the first things that we did—I think the first act of the Legislature was a banning of union and corporate donations to political parties, for example, which puts the onus on the individual to donate.

So I wonder if you've given any thought to that, how Senate election campaigns should be financed. Should there be limits on contributions to candidates and on expenditures, how advertising should be funded and so forth.

Mr. Sigurdson: No, I haven't given that a lot of thought, but just off the top of my head I think it would be what's sauce for the goose is sauce for the gander, so the same rules as members of Parliament in terms of spending and how you raise your funds and things like that should be fair enough unless you're just an ordinary citizen like me and when you want to do something you go to the bank and you get a loan and then you pay for yourself.

But I would say the fairest way is the same rules as the members of Parliament, and if the next government wants to eliminate funding at—what is it?—\$1.75 a vote, then so be it. But I think the rules should be the same. If you only have 27 constituencies across Canada, it doesn't amount to a heck of a lot compared to 300-and-whatever-it-is

members of Parliament. So it wouldn't be a huge cost.

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

Mr. Sigurdson: Thanks for listening to me.

* (18:30)

Madam Chairperson: I will now call on David McLelland, private citizen. Do you have any written materials for distribution?

Mr. David McLelland (Private Citizen): No. I didn't make a formal presentation. It's just musings of mine. I've been thinking about this subject, and I hear the different points of view from different people about the Senate. The reason we're here is somebody figured out it's broke. It ain't working very good and it has to be fixed. Now we could get rid of it. It would save us an awful lot of money, millions and millions of dollars. I'm sure these people have hellishly good expense accounts, plus their salaries and their staff. It would save us a lot of money if we got rid of them. But think about that for a minute. I don't think that's the way to go, because, as Mr. Pedersen said, there's sober second thought.

Now, if anybody has watched Parliament lately, do you really think these people are—a lot of them—are sensible? It's become a comedy. They could, if it's possible—this was thought of in the old days—they could pass legislation that would be entirely detrimental to the country. Now, with the Senate, like you say, they can stop bills. It would give everybody a chance to cool down and think. So it's a protection for us, the people, in a way. However, the way that it's organized at the moment, this proportional representation is terrible. Like the previous gentleman said, we've got people from the—way more senators from down east than we have from out west. So how would you go about electing senators? That's a difficult question. That's the nuts and bolts of it, and this is going to be left up to politicians to figure out.

They have to be effective. To be effective they have to be elected by the people. There's still going to be partisan politics in there, however, we don't have as many of them. If they are elected, they would also be accountable to the people who've elected them.

As far as a grandfather clause, 75, that's ridiculous. I'm not 75 yet, but getting tired of all this

stupidity that goes on. Eight years would be enough. In fact, it wouldn't be a bad idea if all politicians could only serve eight years. It might bring a little bit more life to the political scene, a little more interest from people. Each province should have an equal number of representatives. Not a large number, but equal. This would keep Ontario and B.C.—if you did it by proportion by population they would be the heavy hitters and they would control the entire agenda.

Just musings, thank you.

Mr. Martindale: Thank you for your musings. One of the things that you said was that if they, meaning an elected Senate, could stop bills, it would allow people to cool off. Well, let me give you a scenario: Supposing there was a strike of grain handlers in the ports or railway workers or others, and no grain was moving in western Canada. Probably the House of Commons would pass a bill legislating them back to work.

Under your scheme, the Senate could stop the bill. Correct? Is that still desirable in your view, and who would prevail, the Senate or the House of Commons?

Mr. McLelland: Well, by protocol, the Senate is higher. However, in reality, the House of Commons has the clout.

I'll throw another one back at you. Now, why, in something of that nature that affected the country, wouldn't they act in the best interests of the country? That's their purpose, isn't it, for being there, to act in the best interests of the country?

Now, if we proposed legislation, the House of Commons proposed legislation that was extremely prejudicial to certain groups within our community, within our Canadian family, wouldn't it be nice if somebody said stop?

Mr. Martindale: Well, let's just pursue it with one more question without using a specific example. The House of Commons passes a bill; the Senate, in your scheme, has the power to stop it. Then what happens? The bill is dead?

Floor Comment: You still have a higher authority, the Governor General.

Madam Chairperson: Mr. McLelland.

Mr. McLelland: There is a higher authority, all right—the Governor General.

Mr. Lamoureux: I want to go back to the term limits issue. You made reference to the House of Commons in maybe the charades or whatever one wants to call it back in December.

Mr. McLelland: It's been going on a lot longer than that, I'm afraid, yes.

Mr. Lamoureux: But I think the public as a whole can really reflect on your comment in terms of last December. But, having said that, a good number of politicians are always seeking re-election, and when they know they have to go back to the people for a re-election, sometimes it might impact their behaviour. You made reference to the need for term. You made a suggestion of eight years.

Do you feel it would be better to have a term where someone gets elected for eight years, or are you saying every four years and they can run for re-election once?

Mr. McLelland: Every four years. Two terms max.

Mr. Pedersen: Just for information purposes, because I had to look in the books on one of the other nights we were having these hearings: western Canada has 24 senators; the Maritimes, the four Maritime provinces, have 24 senators; Québec and Ontario each have 24; then there are nine others from Nunavut, the Northwest Territories, Yukon and I believe, according to my notes, there's Newfoundland and Labrador in there for a total of 105. I meant to go back on the previous presenter just for information purposes.

So, I guess, would you like to see those same numbers—supposing we do get into elected senators and whatever term it is, would you like to see those numbers stay like that, or are you suggesting anything different in terms of numbers?

Mr. McLelland: As the conversation went with our previous presenter, 105 is far too many, and go back to the old Reform days—equal. We don't have to have that many of them.

Like you were saying, ministers, 30 ministers? Why not 30 senators?

Mr. Dewar: Just to follow up on your comments about equal number of senators per province, you feel, I guess, that the current six is too many from Manitoba. Do you feel that, whatever that number is, they should represent a region of the province, or should they be elected at large?

Mr. McLelland: Councils do it at large. There's good and bad to be said about both. But at large, yes. That way you wouldn't have to divvy the province up. If you had, say, three running, you could go preferential ballot, which is not always the best way, mind you, but it is an option.

* (18:40)

Madam Chairperson: Thank you.

Mr. Faurshou: Thank you very much, Mr. McLelland, for your presentation this evening. The previous presenter talked about the harmonization of elections with that of Parliament and an established election date. Could you, perhaps, share your musings on that point?

Mr. McLelland: It should be fixed election dates every four years like the Americans have. I hate to say it, but they got something right. The only problem is, like the previous gentleman stated, if we keep giving them \$1.95 for every vote, we're going to have parties come out our yin yang and we will never have a majority government again. Fixed election dates—and you could elect your senators at the same time as the federal. Now, if the government of the day fell, the senators could stay in place until the next four years comes up.

Mr. Faurshou: Could I ask the election date, could it—of municipal and school boards—have been harmonized here? Would you suggest, perhaps, that the election could take place as the Americans do, all on an established date for all levels of government?

Mr. McLelland: Well, I'm aware of the municipal ones, and it works quite well. A fixed date, as long as it's not in January would be good, or July when everybody's away. Well, most of our population is South right now, so the ones that vote are South, I should say.

Mr. Faurshou: Well, as it is at the present time, the province has recently passed legislation establishing the fall election in October, 2011. The municipal is the October 2010, and it is a considered time of the year. A lot of work did, actually, go into that by the Legislative Assembly to establish the time of the year to which most persons are available for voting.

Mr. McLelland: Sounds good.

Mr. Nevakshonoff: Hello, Dave, nice to see you again. We've known each other for about 10 years now, and, by the way, it's nice to see that even though you've left municipal politics now, you still

have an interest and you've come out tonight to speak to us about the Senate.

I know you've been involved yourself in a number of election campaigns over the years, and you probably have a pretty good handle on how much it costs to run a campaign, and you probably have some thoughts as to fundraising, what should be allowed. Should there be limits on the amount of money that a candidate for Senate could raise. Should there be limits on what type of advertising, public events that can be held during an election and so forth. So, if you would, enlighten us as to what you think on expenditures, how they should be gathered and disbursed.

Mr. McLelland: I'm aware of the federal constituencies. It was \$99,000 set by Elections Canada. Elections Canada could set the limits for senators also, and I think they could probably put the rules that are in place for federal members of Parliament or candidates, they could apply to the senators also. There may be some adjustment because of the size of the territory they're covering. If you're running, say, three of them for the entirety of Manitoba and not regionally, they could make adjustments to that.

I think the rules that Elections Canada have set out were supposed to be the best in the world. They could do it for the senators as well as they do it for the MPs.

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

Mr. McLelland: Thank you for listening to my musings.

Madam Chairperson: It has been brought to my attention that the presenter for our French presentation has arrived. What is the will of the committee?

Mr. Pedersen: Madam Chair, I would suggest that we have that presentation now, and then, when it's complete, ask if there are any others needing French translation so that our translators can possibly go home, if it's not needed.

Madam Chairperson: Thank you. Are we agreed? *[Agreed]* Thank you very much.

I will now call upon Louis Allain.

For our French presentation, we will be using what we call consecutive translation. This means we

will have the presenter say a few sentences in French and then our translator will respond in English, and so on. I ask for the presenter's and the committee's patience with this process.

Bilingual presentation

Mr. Louis Allain (Private Citizen): Good evening. Bonsoir.

Sorry for being late. I had kind of mistaken the time. I thought it was at 7 o'clock.

Before I start, I just want to say that the late George Brown more or less was the inspiration for our mémoire, our presentation. As you know, as a reformist of another kind, at another time, he was quite inspirational for the Upper Chamber. I think it's important to mention that, because history is something we cannot leave aside when we deal with such an important institution.

So, without any further ado, I will start in French.

Un mémoire sur la réforme du processus de sélection—oh, I'm sorry. I should have said good evening, for those I know. I know quite a few of you. I had the opportunity to meet you in the past. So, bonsoir.

Un mémoire sur la réforme du processus de sélection des sénateurs et sénatrices vers une représentativité équitable de la minorité francophone.

A brief on reforming the process for selecting senators: towards fair representation of the Francophone minority.

Alors, au cours des deux dernières années, le gouvernement fédéral a déposé deux mesures législatives distinctes signalant son désir de procéder à une réforme du Sénat, réforme qui prévoit entre autres l'élection des sénateurs et une limitation de la durée de leur mandat.

In the past two years, the federal government has introduced two different pieces of legislation indicating its will to proceed with Senate reform, including electing senators and setting term limits.

Aujourd'hui le gouvernement fédéral s'est engagé dans un processus de réforme du Sénat autour de la question du processus de sélection des membres de cet organisme. À l'heure actuelle, les 105 sénateurs canadiens sont nommés par le Gouverneur général sur recommandation du Premier ministre et demeurent en poste jusqu'à l'âge de 75 ans.

Today's federal government is committed to a process of Senate reform focussed on the process of selecting candidates. The Senate of Canada is currently made up of 105 senators who are appointed to their positions by the Governor General on the recommendation of the Prime Minister, and they serve until age 75.

Le Manitoba, qui est représenté par six sénateurs, dont Sharon Carstairs, Maria Chaput, Janis Johnson, Mira Spivak, Terry Stratton et Rod Zimmer, a mis sur pied un comité multipartite pour consulter la population manitobaine sur la façon dont les sénateurs pourraient être élus.

Manitoba is represented by six senators, Sharon Carstairs, Maria Chaput, Janis Johnson, Mira Spivak, Terry Stratton and Rod Zimmer. The Province has set up an all-party committee to consult Manitobans on the way senators could be elected.

Alors, une réflexion sérieuse est requise concernant ce processus, étant donné l'important rôle joué par le Sénat qui est la Chambre haute du Canada. Il examine les projets de loi proposés par la Chambre des communes, qui est composée de 308 députés fédéraux élus. Le rôle traditionnel du Sénat est d'offrir un « second examen objectif » sur les mesures législatives proposées et adoptées par la Chambre des communes. Aucun projet de loi ne peut devenir loi sans l'approbation du Sénat.

Une composante importante du Sénat est son caractère—sans l'approbation du Sénat. Alors, une composante importante du Sénat est son caractère représentatif de l'ensemble de la population canadienne. Les principes constitutionnels écrits et non-écrits définissent le rôle du Sénat comme garant d'une représentation des minorités. Ceci étant, nous soulignons l'importance capitale que revêt le Sénat pour représenter les intérêts des communautés francophones, principe qui a été bien compris par les pères fondateurs.

Serious thought needs to be given to this process, considering the important role played by the Senate, Canada's upper house. The Senate examines the bills proposed by the House of Commons, which is made up of 308 elected members of Parliament. The Senate's traditional role is to give sober second thought on the legislation proposed and passed by the House of Commons. No bill can become law without the approval of the Senate.

An important aspect of the Senate is the fact that it represents the Canadian population in general. The

written and unwritten constitutional principles define the Senate's role as the protector of minorities. With that in mind, we underline the Senate's paramount importance in representing the interests of Canada's Francophone communities, a principle that was well understood by the founding fathers.

* (18:50)

Alors, la représentation des sénateurs au Sénat fonctionne selon deux paradigmes qui ont été établis suite aux travaux de la Conférence constitutionnelle de Québec en 1864. Ces deux principes fondamentaux quant à la spécificité du Sénat prévoient premièrement une représentation des régions, et deuxièmement une représentation des minorités.

Representation in the Senate is based on two principles that were established at the Québec City constitutional conference in 1864. The two fundamental principles that guide the makeup of the Senate are, one, representation of regions, and, two, representation of minorities.

For those who probably know a little more about history, that is when George Brown had said, you know, like, our friends from lower Canada have agreed to give us equal representation in the Lower Chamber. As for the Upper Chamber, we want equality. That's the deal that they have made to let Québec, New Brunswick, Nova Scotia and Prince Edward Island come into the Confederation. So that is a very key point to remember.

En 1864, les Pères de la Confédération ont accepté comme mécanisme de protection de la langue et de la culture françaises une représentation égalitaire du Canada-est au Sénat. Le Québec à ce moment-là était minoritaire et ne représentait que 35 pour cent de la population de la future Confédération de 1867. On reconnaissait donc qu'une composante essentielle de la société canadienne au Sénat pouvait bénéficier d'une représentation dont la taille ne serait pas assujettie à son poids démographique. Cette reconnaissance était faite dans une visée d'unité nationale.

In 1864, the Fathers of Confederation agreed to equal representation of Canada east in the Senate as a way to protect the French culture and language. Québec at the time was in a minority situation and accounted for only 35 percent of the population of the future Confederation of 1867. It was therefore recognized that a key component of Canadian society in the Senate should be given representation that was

not subject to its demographic weight. This recognition was granted with national unity in mind.

Alors, notre réflexion sur un processus d'élection pour le Sénat ne doit pas oublier que le principe fondateur du Sénat était de fournir à toutes les composantes de la société canadienne, en particulier celles qui sont minoritaires, une voix dans les instances gouvernementales de notre pays, tout en intégrant les aspirations de ceux et celles qui souhaitent un Sénat élu.

In our reflection on the process of electing senators, we must not forget that the founding principle of the Senate was to give all components of Canadian society, particularly minorities, a voice in the bodies that govern our country, while at the same time including the aspirations of those who want to see an elected Senate.

Il faut donc se demander quelle importance on attacherait à la protection des minorités dans un Sénat réformé sous la formule de C-20 qui est actuellement proposé.

Consequently, we need to consider the importance given to the protection of minorities in a reformed Senate under the formula currently proposed in Bill C-20.

Le régime parlementaire canadien est composé de trois entités : la Reine, représentée par le Gouverneur général du Canada, une Chambre des communes dont les membres sont élus par le scrutin universel, et un Sénat dont les membres sont nommés sur recommandation du Premier ministre. Cette différence significative envers la nomination des sénateurs et l'élection de députés par scrutin universel fait depuis longtemps l'objet de débats. C'est pour cette raison que le Projet de loi C-20 propose la consultation populaire comme mécanisme de recommandation pour la nomination des sénateurs.

The Canadian parliamentary system is made up of three entities: the Crown, represented by the Governor General of Canada; the House of Commons whose members are elected by universal ballot; and the Senate whose members are appointed on recommendation of the Prime Minister. This significant difference between the appointment of senators and the election of MPs by universal ballot has long since been the subject of debate. That is why Bill C-20 recommends public consultation as a means of making recommendations for the appointment of senators.

Nous avons donc le devoir de répondre présents à la consultation provinciale et de proposer des recommandations concrètes pour assurer une voix à la minorité linguistique francophone.

It is therefore our duty to actively participate in this provincial consultation and to make concrete recommendations to ensure that the voice of the Francophone minority is heard.

Nous proposons les recommandations suivantes pour permettre d'assurer une représentativité adéquate des communautés francophones et acadienne au sein du Sénat.

We propose the following recommendations to ensure that the Francophone and Acadian communities have sufficient representation in the Senate.

Recommandation 1 : Réserver, dans chaque province, au moins un siège francophone au Sénat, et prévoir un siège francophone pour l'ensemble des territoires.

First recommendation: Designate at least one Francophone Senate seat in each province, and allow one Francophone seat to represent the three territories.

Recommandation 2 : Utiliser les instances de gouvernance alternatives, notamment les comités, les mécanismes de concertation, les organismes démocratiques existants, ou tout autre mécanisme garantissant une représentation équitable des francophones, pour fournir aux communautés francophones et acadienne le pouvoir de recommander des sénateurs et des sénatrices.

Second recommendation: Use alternative governance bodies such as committees, co-operative mechanisms, existing democratic organizations, or any other mechanisms guaranteeing a fair representation of Francophones, in order to give Francophone and Acadian communities the power to recommend senators.

A good example of that was in 2005, Mrs. Tardif in Alberta. She was nominated by the Francophone association from Alberta. That, I think, is a good example of how it should be done.

I should add a third, just as a freelancer, we should have, probably, equity, and to make sure there is an equal representation at the Senate as far as men and women. I'm sure I could add more, but, tonight, this is what I had to say.

Le Canada se caractérise aujourd'hui par un climat favorisant la dualité linguistique. Un sondage Decima commandé par le Commissariat aux langues officielles au cours de l'année 2006 a démontré qu'une majorité de Canadiens et de Canadiennes sont en faveur du bilinguisme pour le pays en entier, 72 pour cent, et pour les provinces, c'est de l'ordre de 70 pour cent. Alors, une étude réalisée au début 2007 par CROP et Radio-Canada a confirmé ces chiffres.

A characteristic of modern-day Canada is that there is a climate that promotes linguistic duality. A Decima survey commissioned by the Office of the Commissioner of Official Languages in 2006 showed that most Canadians are in favour of bilingualism for the country as a whole, 72 percent, and for their province, 70 percent. A study conducted in early 2007 by CROP and French CBC confirmed those figures.

Au Manitoba, la campagne de « branding » avec l'image, la marque-là, pour les municipalités bilingues, « C'est si bon », a démontré une volonté de la part des francophones et des anglophones de profiter de la valeur ajoutée du bilinguisme. Le leitmotiv « Ensemble-Together » symbolise la reconnaissance et l'acceptation de la dualité linguistique au Manitoba.

In Manitoba, the "C'est si bon" branding campaign carried out in the province's bilingual municipalities has shown a willingness on the part of Francophones and Anglophones to capitalize on the added value of bilingualism. The "Ensemble-Together" theme symbolizes the recognition and acceptance of linguistic duality in Manitoba.

Notre province et le Canada dans son ensemble sont fiers des avantages et de la reconnaissance positive que lui valent les deux langues officielles sur la scène internationale. Or, les communautés de langue officielle en situation minoritaire présentes dans toutes les provinces et tous les territoires représentent la vitalité de cette dualité linguistique.

Our province and country as a whole are proud of the advantages and the positive recognition that we gain from our two official languages on the international stage. Official language minority communities which are present in every province and territory represent the vitality of this linguistic duality.

Dans un contexte de réforme du Sénat, il est nécessaire de prendre en compte l'ensemble des valeurs qui définissent notre pays. La valeur

fondamentale qu'est la représentation démocratique doit comprendre des mécanismes qui permettent à toutes les minorités qui font de notre pays ce qu'il est aujourd'hui, en particulier, mais non exclusivement, les minorités de langue officielle, de s'inscrire dans cette représentation démocratique.

In the context of Senate reform, it's important to take into account all of the values that define our country. The fundamental value of democratic representation must include mechanisms that allow the minorities that make our country what it is today, particularly, but not exclusively, official language minority communities, to be part of this democratic representation.

Alors, pour conclure, les Pères de la Confédération ont voulu donner voix à toutes les composantes de la société canadienne, et ils ont confié un rôle particulier au Sénat pour ce faire. Tout projet de réforme du Sénat doit respecter et maintenir cette intention des législateurs qui ont fondé notre Constitution.

In conclusion, the Fathers of Confederation wanted to give a voice to all components of Canadian society, and they gave the Senate a special role to do just that. Any proposed Senate reforms must respect and uphold the spirit of the lawmakers who founded our Constitution.

Mr. Allain: C'est tout. That's it.

Madam Chairperson: Merci, M. Allain.

* (19:00)

Mr. Martindale: Merci pour votre présentation. Il y a deux principes importants. Possiblement trois, si vous incluez l'équité de genre.

Thank you for your presentation. There are two very important principles.

My question is: How would we go about electing senators to represent the interests of minorities such as the Francophone minority, but also it could be Aboriginal people as a minority, or women, who aren't a minority, but, since you mentioned them, how would you go about electing people by way of gender parity so there are an equal number of men and women? Three questions, or three possible groups.

Mr. Allain: I definitely don't have the answers to all of the questions, but obviously to have some kind of a representation for the First Nations would be more

than adequate for this country. I think it would be really important.

As far as the equity question, I think it is something that could be assured, and I definitely don't have the answers. As far as the process, there are ways of getting a thorough representation as far as equity. As far as the Francophone, as you know it's embedded in the spirit of the Constitution, and I think it is something that would be disastrous in regard to the unity of this country if we let that go.

Mr. Lamoureux: In your proposal, you're suggesting that there be a Francophone senator, in essence, elected in each province. It'd be a pretty tough sell, I believe, in my constituency and in others.

The question I have for you is: Would that be dependent on there being national reform or there would be 10 senators for each province? So even the province of Québec would have 10, or would you still see the province of Québec retaining its full complement? Is it equal elected is what they're thinking?

Mr. Allain: I think, as you know, Canada was built with a compromise, and to reduce the Québec seats, the representation in Québec, that would be like against the spirit of the deal they've made when they entered the Confederation.

As far as the minority groups outside of Québec, as you know, the late Gildas Molgat and Maria Chaput, we've always had representation for the province of Manitoba, and I think it would be fair to maintain that tradition in a way that would assure fair representation for the others, but one senator is fair. I think it's a very reasonable limit when you look at the number of senators that represent Manitoba. So I think we're not asking too much. As a good politician, I know you would sell it to your constituents.

Mr. Lamoureux: I like the idea of compromise. Right now, Mr. Dewar pointed out in terms of the actual number of senators when they're going to be stepping down. If you have one spot that's open, now we're going to be electing for that one spot. If we're electing for six, it would be a whole lot easier than to designate one of those six.

Would you suggest that the Manitoba government maybe look at some sort of a buyout package so that all six would step down so we'd be starting at the—

Mr. Allain: Oh, you're talking of the transition.

Mr. Lamoureux: The transition.

Mr. Allain: Okay. This is very technical. I don't really have any thoughts in regards to the transition. I would assume that like in any other type of a transition that you do it over time and you find a process of doing things. I don't think that a change at the Senate level would be an event because that would be also troublesome.

Mr. Pedersen: Merci. Bonsoir.

Mr. Allain: Bonsoir, Monsieur.

Mr. Pedersen: First of all, just so I've got it straight. When you talk about Francophone senators, many if not all of all our MPs and senators are fluently bilingual, English and French. But when you mentioned protecting Francophones, is that French is their first language? Most of our MPs, you know, either grew up with French as their first language or English as their first language in their home communities. Can you just kind of clarify that for me a little bit?

Mr. Allain: It is very obvious that when you have a Maria Chaput or the late Gildas Molgat representing the Francophones here it's very different from having someone from Québec representing Francophones. It's a different view. It's a different perspective and there's an allowance there.

As far as the level of bilingualism and all that, like we know how complex la Francophonie can become. Like, you look at Manitoba. We used to be only, what, 4.2 percent representing the Francophone population. Now, if you build in the immersion numbers you're looking at 10 percent, 11 percent, close to there. So, obviously, when I referred to a Francophone representation that's someone that would understand and be a good represent—someone who would give a fair representation as far as the interests of the Francophone population of Manitoba.

Mr. Pedersen: Do you know what the present makeup of the Senate is right now in terms of Francophone numbers in terms of the Senate right now?

Mr. Allain: In regard to the province of Manitoba, we have Maria Chaput was our strong represent—gives us a pretty good representation.

We have strong—we wouldn't say that we have a stronghold, but there's a few from other provinces that, given that they're not all from Liberal

background. Like, we have some very good representation from Nova Scotia. I forgot the name of the senator, but I know who I can trust when I have to deal with the senators in regard to our rights and some of our programs. There's very few of them beside Mrs. Tardif, like in Alberta. In Saskatchewan I can't pinpoint a name as far as a senator and I doubt there is one at the present time. As far as B.C., there's none that would represent the Francophone population. There's lots from Québec but, like I said, they don't represent the views of Francophones outside Québec very often, so. I should have done my homework there, eh?

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

You use the word "we" as the source of your recommendations. Can I just ask who "we" is?

Mr. Allain: Okay. Was that at the beginning or the end, Mr. Dewar? [*interjection*] At the beginning? Okay.

That was probably in the translation. Because when we refer to—oh, *nous*. That's just before the—okay.

I'm talking on behalf of the bilingual municipalities. That's in the statement for the recommendations. There's 17 bilingual municipalities in Manitoba.

Mr. Nevakshonoff: Thank you, Mr. Allain, for your presentation.

My mission this evening is to discuss finances of election campaigns and I know that you personally have sought public office and have run campaigns yourself. So you probably have a pretty good idea as to expenditures.

Do you think there should be limits on expenditures so that everybody is on a level playing field, and do you think that there should be a limit on individuals as to contributions toward election campaigns?

Mr. Allain: Oh, first time I waited for the signal.

Yes, when I was brought—like whether in Québec, I think they were the first ones to do it with René Lévesque. I think the principles are very democratic and I think there should be a limit, you know, and to give a fair chance to everyone. That's a good lesson of democracy.

* (19:10)

Mr. Nevakshonoff: My second question was on contributions to election campaigns. Do you think there should be a maximum amount that an individual can give to a particular candidate, or, say, limits on unions or corporations for that matter.

Mr. Allain: Definitely. You don't want to buy out anyone else, so I think there should be a limit like there is currently, like, I make the donations when there is a limit, so. I think we should stick to that. And it should be embedded in the law.

Madam Chairperson: Thank you, Mr. Allain. Seeing no further questions, thank you.

Mr. Allain: Merci. Sorry again for being late. Like, I left work at 5.

Madam Chairperson: Well, our translators are present. Is there anyone else in the room who would like to make a presentation in French? Seeing none, is the committee agreeable to letting our translators leave now? *[Agreed]*

Thank you for your assistance this evening.

We now have a sixth presenter. Mr. Brian McKinnon will also be presenting, No. 6. I would now like to call upon Frieda Krpan.

Mr. Nevakshonoff: Yes, since Mr. McKinnon has put his name on the list, I do know that he has a meeting later on this evening in Eriksdale; he's the reeve of Eriksdale. I wonder if the committee would agree that we hear Mr. McKinnon's presentation now on that basis.

Madam Chairperson: Does the committee agree to hear Mr. McKinnon's presentation at this time? *[Agreed]*

I would now call upon Mr. McKinnon.

Do you have some materials for distribution? No?

Mr. David McKinnon (Private Citizen): No.

Madam Chairperson: Then please proceed with your presentation.

Mr. McKinnon: Thank you. I'd like to commend the Legislative Assembly of Manitoba for seeking input from citizens across the province on a very important subject. Tom mentioned that I'm the reeve of the R.M. of Eriksdale; I'm not speaking on behalf of the R.M., but I feel that I have the pulse of the grass roots in our area.

I guess I should say up front that the Senate should be abolished. The reason that I feel that way is if we look at the cost, the cost that we can calculate of operating the Senate, 105 senators, a salary of a hundred and thirty-some thousand, plus admin support, plus travel, plus other expenses, so very easily the senator could cost us in the neighbourhood of \$200,000 annually. If you do the math, 105 senators, you're up to some \$210 million or \$201 million. Who's the mathematician in the crowd? It would be over \$200 million of taxpayer money.

So, if you were to ask the common Joe or Josephine on the street, are we getting a return for our tax dollar, I bet you most people that you ask couldn't tell you who their senator is because I see Janis Johnson is listed as the Winnipeg-Interlake representative in the Senate of Canada. As the reeve in my municipality, I've never met Ms. Johnson. Ms. Johnson has never contacted me or anybody in our municipality as far as I know for any kind of input or feedback. So if the Senate is there representing Winnipeg-Interlake, then there seems to be a gap here in communication.

The other thing is if we look at appointees of the past, and I've known personally some senators from different parts of Canada, and the ones that I knew tended to be patronage appointments. I can think of a former bag man for the Liberal Party in New Brunswick. I can think of a former premier from the province of New Brunswick. I can think of a few other people that, clearly, had strong ties to different parties.

So, yes, it's time to change, and I know this goes beyond your mandate. Your mandate is to come out and talk about how we elect senators, but I think if you talk to people at the grass roots, they really question the usefulness of the Senate. If we look back at when the Senate was founded under our first Prime Minister, Sir John A. Macdonald, and it was created to have sober second thought, maybe there was a reason for that at the time Sir John A. was around, but I think it's got out of hand.

Again, when I look at Senator Johnson and the footnote in the handout that you gave, that she was appointed as one of two senators under section 26 of the Constitution Act to represent western provinces under the region expansion clause that saw the Senate increase from 104 to 112 members, I mean, where does this stop, because the public, I think, are

getting tired of spending of tax dollars that provide questionable value.

The last comment, and then I'll get into my presentation on elections, is really the purpose and the usefulness of the Senate. The Senate, to me, appears to be as useful as decorations on a Christmas tree, and people will argue, but it's our tradition in this country, and we've always had the Senate since the time of Confederation, but does that mean that we should continue on this path. So, maybe, when you take your findings back to the Legislature, you can say that people are very concerned about the very existence of the Senate.

But now I'll get on to the questions that the committee poses. The first, what method should be used to elect Manitoba senators? I think it should be by secret ballot. But I have a little different proposal for you because I think people in this country, and the evidence is there, are getting tired of elections. When you look at voter turnout, they're getting cynical about elections. So I'm not sure if people are looking to get involved in another election process to elect senators. So what I would suggest to you is that anybody in this country be given the opportunity to put forth their name to seek a Senate appointment, but part of that process is that they would have to get their fellow citizens to sign their nomination paper, same as when you're running for provincial or municipal office, you need to get some citizens to sign your nomination paper.

Those nominations, I would suggest, would go forth to the provincial Legislature and an all-party committee would vet the nominations to ensure that you're getting reasonable candidates who can be called on to give sober second thought to legislative matters. Because some of the appointments, and I don't mean to criticize people for their windfall when they get appointed senator, but some of the appointments I've seen in the past I would really question are these people qualified to give sober second thought to legislation or are they being paid off for something they did for a party in the past.

So, the all-party voting for candidates, I mean, you all seem to be working together here and why could that not be the approach for a committee of the Legislature, and then when you vet the people that are seeking appointment, then maybe all the members of the Legislature could vote under secret ballot for the candidates that are presented, that way ensuring that you have reasonable representation from all parts of the province. Then the candidate

that is voted and put forward for appointment would be appointed by the Lieutenant-Governor. Again, that's another process for vetting candidates.

* (19:20)

Should senators be elected by ridings or by all Manitobans? I don't think so. I think that we pay you the big bucks to make important decisions on behalf of the citizens, and I think this is just another responsibility that you could take on and do very well.

In addition to existing federal requirements for Senate nomination, should a potential candidate for Senate have to meet any other requirements in order to run for office? I would say yes, that they have the support of a number of citizens that would sign their papers, and that they would also have some background which would contribute to them making contribution in the Senate, and not all lawyers—not that we have anything against lawyers.

Should there be a limited number of consecutive years that a Manitoba senator can serve, and, as Dave McLelland said earlier, a four-year term would seem reasonable. It works quite well at the municipal level. I think at the federal level they wanted to go to a fixed election date. That didn't happen, and at the provincial level I think elections about every four years is probably the term that citizens can live with, because when you have elections too often you're losing people's attention and you're losing their interest. The other that Dave McLelland mentioned, a two-term maximum; after eight years they should be encouraged to take a break. There's no reason they couldn't come back for another term later on.

To have somebody sit in the Senate until they're 75 years old—nothing against seniors, but, at some stage, they kind of lose their interest, I would think, and people age differently. So, you could have a 60-year-old that is already retired.

How often should Manitoba senate elections be held? Every time that there's a vacancy, because a term is expired, or, in case of death or disability or resignation.

Should the elections be held in conjunction with other elections? I think I've answered that; a little different process for you to think about.

How should advertising and other public events be handled during a senate election? I think that transparency is of critical importance to people at the grass roots level, and that the all-party committee

and the Legislative Assembly itself would publicize information about the people who have applied for a nomination or appointment, and, also, the people that, in the end, are presented for election by the Legislature.

Madam Chairperson: Mr. McKinnon, your time has expired.

Mr. McKinnon: Yes. Okay, that's great.

Madam Chairperson: Questions?

Mr. Martindale: Thank you for appearing tonight, Mr. McKinnon.

Your idea of having the Legislature have an all-party committee appoint reasonable people is quite intriguing. You recommended representation from all parts of the province. A previous presenter suggested one from the north, two from rural Manitoba, and three from Winnipeg. Do you think that would be a reasonable way of doing things, or do you have some recommendation of your own?

Mr. McKinnon: I think that's a reasonable approach. However, what I would suggest is that we find the best people.

Mr. Martindale: But, after seeking and finding good people do you have any recommendation on how they would represent Manitobans geographically? Is that an important thing to do?

Mr. McKinnon: I think it is important, but if you don't get the best candidates from all parts of Manitoba, then why put people in just to serve a geographic requirement?

Mr. Faurchou: Thank you, Mr. McKinnon, for your presentation.

Currently in the Manitoba Legislative Assembly the 36 seats are designated as held by New Democratic Party members and 21 seats are designated as opposition, a Liberal or a Conservative.

The last results as far as proportional voting goes, the New Democratic Party, although they have a massive majority in the Legislative Assembly, do, though, not represent a majority in the voting public. In fact, only about 46 percent.

If that is the body that is going to be making the appointments, how would you suggest that it would come back to the actual wishes and voting patterns of general Manitobans if already the first past the post

electoral process has skewed the voting or representation?

Mr. McKinnon: I would suggest that if a secret ballot is employed rather than standing up in the Legislature to indicate your vote that the citizens of Manitoba, hopefully, could count on our legislators to look at what's good for all of Manitoba and not vote along party lines.

As far as proportional representation is concerned I would suggest to you that most people in Manitoba have no idea what that means.

Mr. Faurchou: Yeah. The terminology does indeed vary. But where most people have come through, you know, high school or university or college student elections, one has to attribute 50 percent for it to declare a winner. So there is some of that experience as well, as for me as a farmer here, with the Wheat Board elections as well, that familiarity is indeed out there.

But, so you suggest that a secret ballot would keep everything fair and equal and to the wishes of Manitobans.

Mr. McKinnon: Maybe I'm naive, but I would like to think that the legislators we have would have enough sense to do the right thing for Manitoba and get away from this partisan politics. I mean, we've seen what's happened south of the border where the different levels of government have not been working together, and we see that in other countries. So, you know, if you're an elected representative of the people you're not just there to represent your party, you're there to represent all the citizens of Manitoba.

Mr. Lamoureux: First, I applaud you for really thinking outside the box. I don't necessarily think that it would work as well as you maybe envision in terms of that sense of co-operation inside the Chamber for a wide variety of reasons. But you're thinking outside the box.

I want to throw something at you: Why not, in a federal election, based on the percentages of each political party, allocate out those seats? So, for example, the NDP would say, here are our three potential candidates that would go on a list. The Liberals and Conservatives would do likewise. The Green Party could do likewise, and if you achieve whatever percentage of the vote, then that's how they would actually be appointed.

Would you be open to something of that nature? This way there is no further election. It's not like there's going to be more names on a ballot or anything of that nature. Would you be open to something of that nature?

Mr. McKinnon: Yeah. I think that's been entertained in other jurisdictions and been proven to work, and so why wouldn't Manitoba look at that type of process?

However, I think the challenge would be educating the general public in the major shift in the way that we've elected officials, because it's always been first past the post and whoever gets the most votes gets to win.

* (19:30)

Mr. Nevakshonoff: Thank you, Brian, for your presentation.

I think you hit the nail on the head when you were speaking about the senator who is representative of this area, the Interlake. In your term in office you've had no communication. I've been the MLA for over nine years now and I've had no communication. So this is probably at the root of a lot of the disenchantment that the public has for the Senate, is that they seem not to care what the general population has to think, and that leads to the feeling that there is some level of disdain, possibly, at their level.

So, you were suggesting sort of an appointment-type of system, which would almost put them in the same boat where they're not directly responsible to the electorate in that sense then. Do you have any thoughts how they could possibly improve lines of communication with the public so that people actually know that there are senators out there that they can go to with questions and have them come to events and so forth. What are your thoughts in that regard as to how their image could be improved by greater communication with the people that they're supposed to serve?

Mr. McKinnon: Absolutely. I think, at the federal level, the serving MPs do a very good job in their riding, of coming out to events and visiting municipal councils. The same at the provincial level—we know our local MLA. We know our local MP.

So if the senators were to look at the model that is working well, I am sure they could improve not only their profile, but they could communicate to the

public what it is that we're getting for our \$201 million. If people look at that value proposition and are satisfied that this is a good investment, then I think the whole feeling about the Senate could change. But right now, the Senate, I'm sure there's a lot of very good, hardworking people that serve, but the average Canadian, if I can use that term, hasn't got a clue what value the Senate brings to the government of Canada.

Madam Chairperson: Seeing no further questions, thank you, Mr. McKinnon.

Mr. McKinnon: Thank you, and thank you for letting me on the agenda sooner.

Madam Chairperson: Thank you. I will now call on Frieda Krpan.

Do you have any written material for distribution?

Ms. Frieda Krpan (Private Citizen): Yes, I do here.

Madam Chairperson: Thank you. You may proceed with your presentation.

Ms. Krpan: Thank you very much. First of all, I'd like to express my appreciation for the fact that the committee is travelling the province of Manitoba to listen to the citizens of Manitoba regarding this important issue. I daresay, something probably the federal government should have done.

I also much appreciate the fact that the great community of St. Laurent was chosen for the Interlake, and a wise choice it is. St. Laurent's population is quite representative of not only the Interlake region, but also of Manitoba as a whole. We have a diverse population consisting of Métis and non-Métis; many immigrants; French and non-French speakers; of working folk who travel away from home to provide for their families, but for whom St. Laurent remains their home; of fishermen and women who endure the hardship on Lake Manitoba; of farmers and ranchers; and of retired folk and many others. Thanks to a committed volunteer base, St. Laurent is an exciting community to live in.

St. Laurent is a vibrant community with its sights set on the future rather than on the past, and, in that context, your visit here is very appropriate.

The Senate is supposed to be the place where sober second thought is given to whatever is decided in the House of Commons. Unfortunately, if one is to

look at how many times in the past 20 years something of significance has been given sober second thought and has been sent back to the House for changes, you will see that it doesn't happen very often. Despite all the trials and tribulations in the House of Commons, overall, it works as it was intended by our founding fathers.

Logically, then, one has to ask the question as to the usefulness of the Senate as it operates today. In my humble opinion, the answer would be none.

Regardless of which political party is forming the government of the day, whether it is by majority or by minority or as a coalition, I'm of the opinion that since all representatives in the House of Commons are elected by the people, presumably for the people, the House of Commons is supreme over the Senate. The House of Commons is democratically elected and the Senate is not. My preference would be to abolish the Senate altogether. However, realistically speaking, I cannot see this happen any time soon.

We did have a glimmer of hope for significant changes to the Senate with the Harper government. However, as was demonstrated just before Christmas of 2008, political expediency and hypocrisy won the day when Mr. Harper appointed 18 new senators to the Senate just like other governments before his. Even though Mr. Harper has always advocated changes to the Senate, and his party's platform and that of the preceding Reform Party state an elected Senate is what they want, for strictly political reasons appointments were once again made at a great total cost to the Canadian taxpayer. It is therefore not hard to understand why voters become cynical about the political process.

Having said all of this, should we need to keep the Senate in some form, I propose that the only truly democratic way is not only an elected Senate but one based on proportional representation per province. It would have to be decided how many senators per province, and proportionally per party and candidate the senators would elect.

After what Mr. Lamoureux just mentioned about having each party mention having their own candidates on the ballot—I grew up in the Netherlands; I came to Canada when I was 18 and I arrived in Canada in 1968, so you can figure out how old I am. But that's how elections worked in the Netherlands. Although I'm not really one to say often law is better back home because I am a Canadian and

I love Canada, that system actually worked very well.

At minimum, those who wish to be senators will have to convince the voters they are the best person for the job, whatever the job may be. I think it will be imperative a proper job description for a senator be developed, for lack of a better word. As it stands now there is little accountability, and no one really knows what senators actually do, and that is the operative word. The Canadian public deserves much, much better than what we have now.

Many, many citizens find that senators are not relevant in their daily lives. With our members of parliament and you as MLAs, we can pick up the phone and you will represent us regardless of the political party that either I or my member of parliament belongs to. I have total faith that my member of parliament will work for me on a problem that I have as well as my elected MLA, because that is what you're chosen to do. With senators we have no such assurance.

It would do away with senators getting appointed based on some unknown criteria without the voters having any say in this at all. Should a hockey player, a skier, a journalist and who knows who else want to throw their hat in the ring, so be it.

I do wish to reiterate, however, that the true usefulness of the Senate has yet to be proven, especially in recent history. One only has to look at the budget presently proposed in Parliament. As a woman of nearly 60 years old who went through the struggles of the '60s where women tried to get equal pay for equal value, we now have a budget before us that does away with this. I would dearly like to see the Senate pick up this cause because no one else seems to have, but I doubt that the Senate will do this.

I would like to answer your questions. Some of the questions you have, some of them I've answered. I believe there should be an equality in terms of language. It is enshrined in our constitution. I am sure that there is some way of achieving that, and that means not only protecting the French fact outside of Québec but also protecting the English fact inside of Québec. I think we are always concentrating only on protecting the French minority, and we need to. I'm a firm believer in bilingualism, but that goes both ways. I think the English factor also needs to have protection inside the province of Québec.

* (19:40)

In terms of the requirements, your question of having existing requirements to be a senator, I don't see in there that not having a criminal record is not part of that. I'm assuming that that is so, but since senators are not elected, I have no idea. So having not a criminal record, obviously, would be foremost.

In terms of the number of consecutive years, as with any other elected office, whether it's at a municipal level, at a provincial level or at a federal level, I am very much in favour of term limits, and I think three consecutive terms are good. Mr. Lamoureux is a case in point. He was not elected, I believe, for one term. He had to go back in regular life and, I think, it made him a better MLA, and he's not my party, either. But I do believe that if you have to go back into where we call regular life, you keep your feet to the fire and your feet to the ground. Mr. Pedersen is a newly elected MLA, and I know he's a cattleman. You know, it would be nice that if he's been three terms, he has to go back in cattle and really understand how hard it is to be a rancher. So I think those things are important.

In terms of Senate elections, I think it would be more practical to not have them at the same time in one way as the federal elections, and on the other hand I'm going to give you a thought that is outside the box. I believe that if we need to keep a Senate, I don't think it should be any more than a subcommittee of the House of Commons, and that per province, some of the members of Parliament should be elected to this particular committee. It would save the taxpayers an enormous amount of money. There would be accountability because, as MPs, they are elected already and each party could put their names forward. If we need to have a Senate, it could be formed from our elected members of Parliament, and it shouldn't be a Senate anymore, it would simply be a subcommittee of Parliament. I really don't see the need for a Senate whatsoever.

In terms of limits and contributions, and I know, Tom, that's where your concern is, I think, accountability and expenditures are not looked at nearly closely enough. Should there have to be elections, they should be subject to exactly the same rules and regulations as our members of Parliament are.

Madam Chairperson: Thank you.

Mr. Martindale: Thank you, Ms. Krpan, for coming forward this evening. I note that your first position is

to abolish the Senate, but if it's not abolished then you have some suggestions. I actually heard two competing ideas. I heard electing by proportional representation, but then, at the end, you suggested the Senate could be a subcommittee of Parliament and that elected MPs would then be appointed to be senators.

But let's pursue the proportional representation. It becomes a little bit complicated if, for example, one Manitoba senator, for example, was Francophone and, then, we have five others. It's difficult to have proportional representation when you have such a small number of people. But there are a number of ways that it could be done. For example, you could have five or six people elected from a party list, or you could have, say, people vote directly for four of the candidates and then have two appointed from party list to make the Senate more proportional.

Do you have any ideas or suggestions on how senators would be elected by proportional representation in Manitoba?

Ms. Krpan: First of all, in terms of the French representation, in Manitoba, actually, that's fairly easy because we have self-declared bilingual municipalities. So it would be quite easy to have someone elected from within those municipalities who are bilingual as representing the French fact.

For the rest, I think, the province would have to be divided somewhat into, as to what Hugh Sigurdson referred to. I would have a concern in terms of our Native population getting representation. I think they're underrepresented in many ways, and I think that is something that would have to be ironed out. For the rest, I think the parties need to put forward their candidates and they would have to be elected.

Mr. Martindale: The other night when we had a hearing in Steinbach, someone suggested that if there were six senators and you divide Manitoba into six equal geographic areas you'd almost be guaranteed one Aboriginal person. This was in a conversation after the public presentation. If one senator was elected from northern Manitoba there really would be no guarantee that that would be an Aboriginal person, so would you recommend that one Senate seat be set aside for Aboriginal people?

Ms. Krpan: Yes, I would have absolutely no problem with it. I think in view of the fact that many Aboriginal people feel they are not engaged in a

political process as we know it, I think this would be one way of having Aboriginal people elect their own person rather than being appointed.

Mr. Martindale: Okay, so we've set aside one seat for a Francophone and one for an Aboriginal person, so there's four left. Would two of those be from Winnipeg and two from rural, or how would you select those four people?

Ms. Krpan: I don't think that necessarily we have to assume that because somebody is from Winnipeg, he or she cannot represent the rural area and vice versa. Again, it's a matter of commitment on the part of the senators or of the MLAs.

Mr. Fauschou represents an area that has a large population in the town of Portage la Prairie but you also represent a fairly large rural constituency, and so I think we're assuming that because somebody is from one area they cannot represent another. I think I would give our elective representatives a little bit more credit than that.

Mr. Dewar: In your comments you mentioned qualifications. Well, my notes state that to qualify or to be summoned to the Senate, the nominee must be a Canadian citizen, be at least 30 years of age, own \$4,000 of equity and land in their home province or territory, have a personal net worth of at least \$4,000 and live in the home province or territories. Are you satisfied with those?

Ms. Krpan: Absolutely not. I think it's ludicrous to—we are not allowed to discriminate on age when people retire so how can we then discriminate on age to get somebody elected. It doesn't make sense. I think actually this is probably very wrong.

In terms of amount of money that someone has, what's \$4,000 today. It is very little, and I don't think a person's personal wealth should have anything to do with whether or not they are a competent person or not. I think that is bizarre. I know many people who may not own a red cent who have a lot of wisdom, and again in terms—this would go right in having Native representation. We all know that our First Nations people are not allowed to own their own homes on reserve so how would they prove their \$4,000 worth of equity? They couldn't. Their television and their washing machines, I don't think so. So I think this is quite bizarre.

I would like to point something out in the list that you have provided. Of the six senators that are in Manitoba today, Ms. Spivak, listed as an independent, has been a senator for 23 years. I think

that's bizarre. Somebody who has not been elected, who I have no idea what this person has ever done, has drawn a salary for 23 years is now entitled to, I am sure, a better pension than any one of us sitting around this table. I know I don't have a pension. I farm cattle. So this is a case in point. It makes the case as to why we actually need to change the Senate. You have proven it with your list.

Mrs. Carstairs, although I always admired her, 15 years; Janis Johnson, I have no clue who this person is, 19 years in the Senate. I think your list here makes the case as to why people have to have term limits and why we don't need a Senate at all.

* (19:50)

Mr. Dewar: You mentioned Mrs. Spivak. She retires in July 12 of this year. Any suggestions on how we replace her?

Ms. Krpan: Well, it really depends. At this point in time, I wouldn't replace her, to tell you the truth. I would just let it be empty. I was very offended, as you can tell in my presentation, that 18 people were given the nod just before Christmas. I thought it was terrible regardless of which party is in power. I don't think this particular person should be replaced at this point in time. I mean nobody really knows what she has done or advocated. Most senators have a bit of a pet project. The surgeon from Ottawa—I can't remember his name—

Floor Comment: Keon.

Ms. Krpan: Pardon?

Floor Comment: Dr. Keon.

Ms. Krpan: Keon. Well, he has health, and then there is Senator Kenny, which I think belongs to your party, he has taken on security for Canada, but there's only a few of the 112 that are there. I bet you nobody in this room can name you, beside these six, another three or four.

So don't bother replacing her. It's just a waste of money and a waste of time.

Madam Chairperson: Thank you.

Mr. Fauschou: Thank you very much. I do appreciate your thoughts. Have you ever had an opportunity to attend any of the Senate committee meetings that have been held in Manitoba: agriculture, defence?

Ms. Krpan: Actually, when I first came to Canada in 1968, I lived in Ottawa. So, one of the first things

that I did was visit House of Commons and visit the Senate because I was very curious. I've been a political person all my life. I grew up in a political family and I wanted to see how this worked, and I was appalled. I was appalled. There was no original thought. A lot of them were sleeping. That was in 1968, so I don't know how it is today, but that's what I saw at that time. So when I hear of a committee meeting coming through the province, I don't bother. But we're here today for you people because we value what you do. You're local.

Mr. Faurshou: Yes, I appreciate your thoughts on it. I, too, visited the Senate in Ottawa not so long ago. Even though it's more recent than your experience, I observed the same activity. I would, though, say that the information that comes forward to Parliament via the Senate committees has been invaluable to legislation and policy of Canada. I can attest to the agriculture committee and the defence committee's work that has been of great benefit to our country.

This type of committee work, how then, if the Senate was to be modified as you state, would this work be undertaken and information gathered as it is currently done?

Ms. Krpan: Well, let's take agriculture as an example, a subject we're both quite familiar with. Our Member of Parliament, member of your party, Mr. James Bezan, chairs the Standing Committee for Agriculture in the House of Commons. James has done a really great job. The work that the Senate has done at a committee level, there is no reason at all why the same work could not be done by committees of the House of Commons. There's no reason whatsoever. We have over 300 members of Parliament. So nobody's going to convince me that they're overworked. I think that work could easily be divided and that work could easily be done at the House of Commons level.

The other thing that I would say is that if the House of Commons at the committee level is tasked with a bit more responsibility, I think we might see more responsible behaviour and that goes across the party lines.

Mr. Faurshou: My concluding question is one similar to the—reflecting on the presentation earlier this evening that used the example of the Parti Québécois and the Green Party of Canada and the level of representation currently in the House of Commons versus the proportional popular vote across the country.

How would you ensure that those persons that were voting for the Green Party, for instance, would receive proper representation in the democratic process here in Canada?

Ms. Krpan: This is a subject that is near and dear to my heart, and you mentioned before what you perceived as the inequity in Manitoba. Well, the same inequity exists in Ottawa. So what is good for the goose is good for the gander. Either you believe in proportional representation or you don't, and I do because I think it's the most democratic way of electing a government.

And I do agree with Hugh Sigurdson. Very often you will not get majority governments, but I think that by having coalition governments you have better government because everybody has to put a little water in their wine. You don't get the extremes. So if you have proper proportional representation say in federal elections, each party would put names on the ballots, chosen from within. Then people went to the ballot box and they tick on the name of their party and the name of their first and second choice, or whatever choices, in their own party.

So say the Conservative Party would have 33 percent of the vote. Then you'd have 33 percent of the representatives for the province and the same for the New Democrats and the same for the Liberals and the same for the Greens. You'll wind up with lesser numbers for the bigger parties and you'll wind up with some representation for the smaller parties. That is just the way it works. Now, if they don't meet a certain threshold, then they wouldn't meet the threshold and that would do away with probably the Communist Party and the Rhinoceros Party. They would never make it, but the bigger parties would still get.

So, yes, in Manitoba I would say in the rural area the Liberals would be better represented and the New Democrats would be better represented. In the cities, the Conservatives would be better represented. You have better representation all around.

Mr. Faurshou: For those persons that believe in independent thought, how then would an individual be elected that did not want to be curtailed by party affiliation?

Ms. Krpan: Well then, if he's got deep enough pockets then he or she can run, but I think it's very difficult to call yourself an independent. To tell you the truth, I don't think there are too many people who truly are. If you are elected in the proportion

representation type that I just explained, very often again you don't get the extremes. You don't get the them-against-us kind of attitude.

You get much more an attitude of making government work, and I think that's what the people want. They want people to work. They don't want all the time this head-bashing. They want to come up with solutions. That's what we think you are in Ottawa. That's what you're elected to do.

Mr. Lamoureux: I do enjoy what it is that you're saying and support—having said that, we're in an interesting dilemma. We have a senator that will in fact be retiring sometime this year, and our options are we could do nothing and no doubt that Senate position will eventually then be appointed, or we could come up with some ideas on how that Senate—or providing a name for that Senate spot is one option. There's the other option of, has been suggested by Mr. Dewar in terms of, well, maybe we need to have some sort of a buyout package to get rid of all six senators so we can be starting from a level playing field.

Do you have any comment in terms of—or do we just do nothing as a province and the committee just say, well, we're just not going to participate in it, and continue to let them be appointed?

* (20:00)

Ms. Krpan: First of all, I think the buyout package is a non-starter. When we look at how long some of these people have been in and the kind of money that they have earned and what they have not done, I don't think so. Fire 'em.

In terms of replacing them, I think, you know, it's proven at Christmastime that with the appointment of the 18 new senators, obviously, the need is there now to do something. Whether it's something that you actually want to do, but one's hand is somewhat forced. So sometimes you have to do something and just hold your nose and do it. I think this is a case where that may have to happen, where the province as a whole may have to hold its nose and come up with suggestions for replacing Mrs. Spivak. I don't know the lady and I have no idea who she is and what she's done. But I would suggest that if you do have to do this, that, as elected members of Parliament, it would be really good to show unity amongst yourselves as parties to come up with a really great candidate.

But it was proven in Alberta when they had elections that these people sat on the sidelines for a

long, long time and there is nothing that obligates the government of the day, whoever it is, to actually appoint that person. There's nothing that obligates them and we have just witnessed no shame, so, who is to say?

But I would say that if our Legislature, you, as a whole, come up united behind a certain candidate, it would be very hard for whoever is the Prime Minister to ignore you, but still they can. So you may have to hold your nose.

Madam Chairperson: Seeing no further questions, thank you, Ms. Krpan.

Ms. Krpan: Thank you.

Madam Chairperson: I will now call on Michelle Forrest, private citizen.

Do you have a written presentation?

Ms. Michelle Forrest (Private Citizen): No. My printer ran out of ink. Sorry.

Nice to see you and thank you so much for coming this long way to us out here in—well, I'm from Teulon, so that's where I live, or have for the last few years.

So I am unsure if we should keep a Senate or not. My original country—I was an American before I became a Canadian, and we have a Senate. We have an elected Senate and it is dysfunctional also. So it's hard for me to determine from American lenses how to make a Senate that I don't actually understand too well, function.

I just know that without—this is not a personal criticism on any way, but going back to the man's presentation for the Francophone community, I wanted to speak to that as well. That my understanding of the Senate in part, not just a body of sober second thought, but a body that was created to protect minority rights in Canada. When it was established it was specific to Francophone rights. It wasn't as concerned about Aboriginal rights because they weren't allowed to vote or anything anyway, and it certainly wasn't about women's rights or any of the other minority groups we could list. But it was certainly about Francophone rights and I'd like to see that extend out. I'd like to see us broaden minority rights for the Senate so that fundamental principle of protecting minority rights becomes a very strong reflection of the diversity, the multicultural diversity we have in Canada. Not just with skin colour, but the broader cultural diversity we have as well. I think

that that's a very important—that is fundamental to who Canada is.

When I first moved to Canada, the first thing that I noticed—I was quite surprised because Canadians don't see themselves or understand themselves as very different than Americans. You know, they wonder about their cultural strength. They wonder about how they can take on this enormous neighbour to the south and, as an American coming into Canada—I fled Ronald Reagan. Second term, really bad. Coming into Canada, the first thing that I was struck by was the cultural diversity here. In the United States we tend to make melting pots. Here you kind of let flowers be flowers.

You know, there's a huge diversity here that you see right away. You see the difference in how Canadians come together to co-operate, where they will put community before individual rights. In the States it's the exact opposite, and all of those differences that I noticed when I first came here is reflected in your parliamentary system. It's reflected in how you elect people or not elect people. It's reflected everywhere and so I'm not qualified to say whether this Senate should be abolished or not abolished, whether it should, you know, but I think I am qualified as a citizen now to say if we're going to have it, let's elect it to some degree, but let's also use it as a venue to protect and enhance minority rights within an electoral system.

I think we can figure out how to do that between the people like us and the people like you. I think we can probably find better ways to do that than not. I think that we have to protect the diversity, and you people sitting in front of me is exactly why I think we should have to. I do not notice a woman—yes, but is she making decisions? I'm sorry, I just didn't know who you were.

I don't notice a person of colour. I don't notice an Aboriginal person. I don't notice any other diversity and that is just because I can't notice it, right. You might be Métis and I wouldn't actually know. You might be, you know—so there's—we have to, I think, enshrine diversity for a while longer in our electoral processes just because we don't do it by nature yet, just because we might not notice where we overlook, we might not notice that that person is celebrating something that we don't understand.

And putting women in a minority place, well, you know, that has always been really tough for me because women in Canada are actually the majority

and in Manitoba we're 50-50. So I'm not sure how we fit in that minority and how do you protect our rights as a minority within an electoral process. So I'm not sure how that would work out either because I don't feel like a minority at all. I feel pretty much like the majority, and if not the majority, pretty much equal.

So I'm not sure how we set about to do that kind of protecting, but I know if we don't, women are really going to be ticked across the country. You know they're going to be ticked if we just go by proportional representation. They will because proportional representation doesn't work too well in any electoral system. We have to, I think, get beyond what we know and maybe look at some of the things.

I'm sorry, I really forgot your name.

Floor Comment: Louis.

Ms. Forrest: Louis. I think some of the things that he suggested were all interesting suggestions. I don't know how to deal with the Senate, but I figure that we're going to have to, but I do want us to make sure that we include all of the kinds of diversity that we are.

Canada's changing. It's changing so fast. We have so many people from so many places that come here to celebrate a freedom that they don't have anywhere else. They don't have the freedom to just be. I have a friend, a playwright named Ula [*phonetic*] who comes from Denmark. Two years ago when she was here, she came into our meeting angry because her government in Denmark had just passed legislation that said the only way you could get to be a citizen is if you were baptized Lutheran because they were scared of all the Muslims that were coming to Denmark, and that's a foundation place of democracy, but in Canada we say, okay, come on in. You're not going to hurt us. You're going to help us grow, come on in.

* (20:10)

It's such a fragile flower this democracy. You know, it's so beautiful and so delicate all at the same time. It has strong roots and it can get blown over so easily if we're not very careful about how we reconstruct a Senate, how we protect all of these rights, how we widen our understandings of each other to include as many people as possible.

So I'm not sure I'm even for going to—we need a smaller Senate. Maybe we need a bigger one. Maybe Canadians deserve all the government they can get in

representation. You know, maybe we don't need to watch all the pennies as carefully as in terms of tax dollars. I know this is probably, you know, not good out here, but I think that maybe, perhaps, rather than thinking about reducing it and making—if we had 27 senators, how big would the riding have to be? How many provinces would it have to span? No, I'm not sure that would work, but maybe adding some, you know, maybe adding enough so that, you know—in Manitoba we have six. Maybe we need 10. Maybe we need 10 to include our diversity. Maybe every province needs 10 not 24. Maybe every province needs that to begin to include the diversities that are moving there to begin to look at that. Would that be so terrible? If they're going to be elected they have to have the same rules that Election Canada lays out.

I know those original rules that you read a little while ago, about, having to own property. We know it all comes out of, you know, only homeowners were ever allowed to vote. Those are old rules. Those we can throw away. We don't need to worry about those kind of qualifications. We need to worry about, are you a Canadian, are you a criminal? Criminal would be a barrier. What I ask of you as an MLA, that's what I think I should be asking of my Senator. Can you—even if we're of a different party, will you still work for me? Even if we don't speak the same language all the time, will you still work for me? Those are the kind of questions that citizens want to ask. They might not be serving us very well now, but, in part, that's a self-inflicted wound. We don't actually notice them either. I think sometimes you have to make demands of all the levels of government to actually get the service from that government that you expect. If they're quiet in the Senate and not doing anything, in part it's because we as citizens sit back and let them be quiet and do nothing. If we actually had expectations of them perhaps they would do something different.

Madam Chairperson: I'm sorry to interrupt. Your time has expired.

Ms. Forrest: Excellent.

Mr. Martindale: Thank you, Ms. Forrest, for coming from Teulon to present tonight. Since you mention that you're American—

Ms. Forrest: Not anymore. I'm Canadian now.

Mr. Martindale: —were American in the past.

Ms. Forrest: Yes.

Mr. Martindale: And we had an American idea presented tonight regarding a Senate and that was an equal number of senators from each province. In fact, the presenter specifically mentioned the Reform Party and a Triple-E Senate. Does it make sense to you if, for example—we've also heard recommendations of a smaller senate—each province, say, and territory had two senators? Do you think it's democratic that the two senators from Prince Edward Island would each represent 67,647 people and the two senators from Ontario would each represent 5,705,023 constituents? Do you think that's a democratic way of doing it?

Ms. Forrest: I don't think proportional representation in all cases is a good thing to do either.

Mr. Martindale: Well, I'm going to get to proportional representation. But do you think the full numbers—

Ms. Forrest: No, I don't. Personally, having participated in elections, when I first moved out here, I participated in an election, my first real election in my entire life, and just trying to figure out how to do the drops was incredible, and that wasn't for 67,000 people in Lakeside. I mean, there is a logistical reality that comes with elections that is not just based on whether or not we can save money by having less senators. There's also a reality of how you actually elect them when the territory they have is so massive that it takes you four days to get across it. Sorry.

Mr. Martindale: Well, let's move on to proportional representation. Do you think that we could accomplish your goals of enshrining diversity, say for women and Aboriginal people and Francophones, and have proportional representation at the same time? How would that work in your view?

Ms. Forrest: I don't think it would work at all. I think that the parts that we have to enshrine, diversity within the process, still have to move through some kind of an appointed process. I don't think we could achieve proportional representation and ensure the diversity that I would like to see in the Senate. I don't think it's possible to do both through an electoral system.

Mr. Martindale: Well, let me suggest how it might work. For example, normally with proportional representation, at least some people are elected from party lists. So parties could be required, for example, to alternate names—male, female, male, female. In that way you would get better representation of

women using a normal proportional representation system.

Ms. Forrest: I agree. I could maybe get better representation of women using that, but inherently I would be extremely leery of letting any community make a decision about who can represent anyone from another community. I don't think that a party list would satisfy Aboriginal people too well. I don't think a party list would perhaps deal with the diversity of all of the people who don't belong to parties out there. I think maybe we have to, when we look at setting aside seats to enshrine diversity that those like Louis suggested, theirs could come from committees struck just for that purpose, only for that purpose. So that a committee would get struck on diversity and it would represent the diversity of the province and from that, nominations could come forward. You know, I don't think that party lists are the—I don't think that they have a fullness of representation of the diversity that people would feel necessary.

Mr. Martindale: Well, two final questions then. Would you set aside a seat—say there were to continue to be six senators, would you set aside one seat for the Francophone community to elect someone and one for the Aboriginal community to select someone?

Ms. Forrest: I would certainly do that, yes. I would have no problem with that whatsoever even though my first language is Gaelic; it has nothing to do with French. There is a reality in Canada, a bilingual reality that's really something that we should all want to protect. Language and culture are inseparable. It's important to protect that. Even though I can only read French—my spoken French is truly awesomely terrible—even if I could speak French, it would make me a French speaker, it would not make me a Francophone.

Mr. Martindale: My final question is how would you ensure that all regions of Manitoba were represented? We've had some suggestions earlier tonight but how would you ensure regional representation in Manitoba?

Ms. Forrest: Within diversity, we would probably have to have more senators than six.

Mr. Martindale: Well—

Ms. Forrest: I know you mean regional. So how many people from the north? How many people from

centre? How many people from south? Would I base that on population? Would I base that on diversity? Would I base that on party affiliation or whatever else came to mind? *[interjection]* Just geography. I have no idea how many people to assign to the north or to the centre or to the south or to east, west. I have absolutely no idea how I could geographically say, well, you know, you're in Thompson, you get one guy, but we're in Selkirk, we get two. I'm really unsure about how I would go about saying that. Being who I am, I would probably say, all the regions have to be represented, you guys figure it out. How do we represent that? Do we represent one? Do we divide it like Ireland? Four directions and the centre. That's another way of looking at it.

* (20:20)

Mr. Lamoureux: A number of presenters have talked about—well, their first preference is to abolish the Senate. People say, well, what value is there with the Senate. Now, you're talking about possibly expanding the Senate and you talk about the things in how you envision that happening. Someone suggested, well, maybe what we need is a job description. Maybe, what it is, is how people interpret the Senate should be working for them to see if there is actually value and then people would get a better appreciation. Here's the reason why I put it that way.

What do you think is more important for the Senate in Canada to do, the senators from Manitoba? Is it more important that they represent an individual constituency or protect the rights of the province in Ottawa? You have members of Parliament that serve constituents. You have MLAs that serve constituents. If we're doing a job description, what would be the first priority of that Senate? What should they be doing?

Ms. Forrest: My understanding of the Senate in Canada, and as I said, I could be completely wrong. I would say they would be there to look out for Manitoba's interests more than an individual constituent. Individually we have, what, MLAs, MPs and municipal governments. So, it seems to me that we can devote one level of government to maybe looking after the whole picture, you know, for our province.

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

That concludes the list of presenters I have before me. Are there any other persons in attendance who would like to present?

Seeing none, the hour being 8:21, what is the will of the committee?

An Honourable Member: Committee rise.

Madam Chairperson: Committee rise.

COMMITTEE ROSE AT: 8:22 p.m.

**WRITTEN SUBMISSIONS PRESENTED
BUT NOT READ**

Please be advised that I attended your public hearing on January 26, 2009, in Steinbach, Manitoba, whereby there was a very poor attendance and only two presentations were made at the time. I did not make a presentation at the hearing due to not being prepared and only finding out about the hearing a short time before.

For this reason, I trust that you will accept this letter as my presentation on the matter and as an elector of La Verendrye constituency. I further must attest that I am familiar with the work being done by the Senate and I strongly disagree with any form of election of senators as this will create more havoc in Ottawa.

These are my reasons that I hope the committee will take into consideration:

(i) An elected Senate, though it is done in other countries, will now have two bodies of lawmakers elected under specific party banner or party line that will probably take away the chance of senators working together for the betterment of society. It is my understanding that the Senate, under our form of government, is a second body with the responsibility of ensuring that laws being adopted for our residents have been thoroughly reviewed and questioned before giving its approval. If you have elected affiliated party senators, you could have total chaos between the two Chambers because of ever-changing representation in the House of Commons. If we thought that the present system lacked professionalism, this would now be two levels of lawmakers that would essentially try to outdo each other. My knowledge of some senators and, in speaking to some, it is my understanding that the present system allows

them to put aside political colours and come to an understanding. Technically, once appointed to the present Senate, the members do not have to respond to any party as such.

(ii) If Senate reforms are deemed necessary, there are avenues opened that could be explored, such as the duration of terms and even looking at lesser number of appointments. Why not, once appointed, that no party affiliations be required and that they elect or be appointed by the government of the day the Senate House Leader and committees? How about appointments of senators based on the following:

- (a) age
- (b) gender
- (c) minorities, including First Nations
- (d) number of senators based on each province having all a minimum amount, and extra appointments for larger provinces
- (e) reduction of number of senators in Ottawa
- (f) reduction in costs of such a House where possible
- (g) and others?

(iii) Election of senators would have to be done at least once every four to five years and these elections would not correspond to regular House of Commons elections, therefore, another \$300-million expense that is foolish and unreasonable. These funds could be used to bring down the deficit being forecasted at the present.

(iv) Your committee has attended House of Commons sessions and do you not think that the partisan politics in the House of Commons has no place in the Senate? An elected Senate would bring this about as the representatives would be in a position to show their electors that they are fighting for them and minimizing the work that should be done. Imagine a Conservative House of Commons and a Liberal Senate trying to pass any legislation. I am sure that the founders of Canada had this in mind when they decided that appointing a Senate was better for all of us.

Elected senators would no longer be looking to the government of the day, but to the people that have elected them instead.

- (v) Electing of senators will not in itself stop the patronage. It is a proven fact in the House of Commons that patronage appointments and contracts still exist and, unfortunately, that is part of the process.

Thank you for listening to me, but it is my understanding that any changes to the Senate has to have the approval of all provinces. It is also my understanding that Québec and Ontario have stated that they are not in favour of elected Senate and I just hope that the Province of Manitoba will also show its refusal of elected senators.

J.G. Levesque

The Legislative Assembly of Manitoba Debates and Proceedings
are also available on the Internet at the following address:

<http://www.gov.mb.ca/legislature/hansard/index.html>