

**Third Session - Thirty-Ninth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Special Committee**  
**on**  
**Senate Reform**

*Chairperson*  
*Ms. Erna Braun*  
*Constituency of Rossmere*

**Vol. LXI No. 1 – 4:30 p.m., Thursday, December 4, 2008**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Ninth Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
ALLAN, Nancy, Hon.	St. Vital	N.D.P.
ALTEMEYER, Rob	Wolseley	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
BJORNSON, Peter, Hon.	Gimli	N.D.P.
BLADY, Sharon	Kirkfield Park	N.D.P.
BOROTSIK, Rick	Brandon West	P.C.
BRAUN, Erna	Rossmere	N.D.P.
BRICK, Marilyn	St. Norbert	N.D.P.
BRIESE, Stuart	Ste. Rose	P.C.
CALDWELL, Drew	Brandon East	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CULLEN, Cliff	Turtle Mountain	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
EICHLER, Ralph	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
GERRARD, Jon, Hon.	River Heights	Lib.
GOERTZEN, Kelvin	Steinbach	P.C.
GRAYDON, Cliff	Emerson	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HICKES, George, Hon.	Point Douglas	N.D.P.
HOWARD, Jennifer	Fort Rouge	N.D.P.
IRVIN-ROSS, Kerri, Hon.	Fort Garry	N.D.P.
JENNISSSEN, Gerard	Flin Flon	N.D.P.
JHA, Bidhu	Radisson	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LAMOUREUX, Kevin	Inkster	Lib.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MARCELINO, Flor	Wellington	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McFADYEN, Hugh	Fort Whyte	P.C.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MELNICK, Christine, Hon.	Riel	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
OSWALD, Theresa, Hon.	Seine River	N.D.P.
PEDERSEN, Blaine	Carman	P.C.
REID, Daryl	Transcona	N.D.P.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
RONDEAU, Jim, Hon.	Assiniboia	N.D.P.
ROWAT, Leanne	Minnedosa	P.C.
SARAN, Mohinder	The Maples	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELBY, Erin	Southdale	N.D.P.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan, Hon.	Dauphin-Roblin	N.D.P.
SWAN, Andrew, Hon.	Minto	N.D.P.
TAILLIEU, Mavis	Morris	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
<i>Vacant</i>	Elmwood	
<i>Vacant</i>	The Pas	

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE SPECIAL COMMITTEE ON SENATE REFORM**  
**Thursday, December 4, 2008**

**TIME – 4:30 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Ms. Erna Braun (Rossmere)**

**VICE-CHAIRPERSON – Mr. Ralph Eichler (Lakeside)**

**ATTENDANCE – 11 QUORUM – 7**

*Members of the Committee present:*

Ms. Braun, Messrs. Derkach, Dewar, Eichler, Fauschou, Ms. Howard, Messrs. Jennissen, Lamoureux, Ms. Marcelino, Mr. Nevakshonoff, Ms. Selby

**MATTERS UNDER CONSIDERATION:**

To consider arrangements for consultations with Manitobans on Senate Reform

\* \* \*

**Clerk Assistant (Mr. Rick Yarish):** Good evening. Will the Special Committee on Senate Reform please come to order.

Your first item of business is the election of a Chairperson. Are there nominations for this position?

**Mr. Ralph Eichler (Lakeside):** I nominate Ms. Braun.

**Clerk Assistant:** Ms. Braun has been nominated. Are there any other nominations?

Hearing no other nominations, Ms. Braun, will you please take the Chair.

**Madam Chairperson:** Our next item of business is the election of a Vice-Chairperson. Are there any nominations?

**Ms. Erin Selby (Southdale):** I nominate Ms. Marcelino.

**Madam Chairperson:** Ms. Marcelino has been nominated.

**Mr. Leonard Derkach (Russell):** To provide some balance in the committee, since the government has the Chair, I would respectfully nominate Mr. Eichler.

**Madam Chairperson:** We have Mr. Eichler nominated. Thank you. We have two nominations.

All those in favour of–

**Mr. Kevin Lamoureux (Inkster):** I'm just wondering maybe if we could ask the Clerk in terms of the past precedents when we had the Healthy Living Task Force: Is it usually a government as the Chair and opposition as the co-chair? Do we know right offhand?

**Madam Chairperson:** Is there leave of the committee to allow him to respond? *[Agreed]*

**Clerk Assistant:** With the Children's Advocate process in the '90s–I'll have to check and I can check for you quickly, but I can tell you that the Standing Committee on Agriculture that met in 2001 had government as both Chair and the Vice-Chair. If you give me a moment or two, I can check on the situation from the '90s.

**Mr. Derkach:** I think we have a good arrangement with our PAC committee. Now I know that the PAC committee is the only committee of the House that has the opposition as the Chair, but the government has the Vice-Chair. It gives opportunity for input from both sides of the House on matters that are important to discuss at the table and also on agendas.

I think it's a model that we should try to–perhaps it isn't a precedent, but I think it's one that we should try to work towards, especially when we're talking about an issue as important as Senate reform. I think it would be a good gesture on this committee's part to have some balance and have a Chair and co-chair from both sides of the House.

**Mr. Gregory Dewar (Selkirk):** I believe, Madam Chairperson, if you were to canvass the committee, you would discover a willingness to withdraw Ms. Marcelino's name as the Vice-Chair.

**Madam Chairperson:** Ms. Selby, are you withdrawing the nomination of Ms. Marcelino?

**Ms. Selby:** Yes, I withdraw the nomination.

**Madam Chairperson:** Is it the will of the committee to allow that? *[Agreed]* Thank you.

Are there further nominations? Seeing none, I name Mr. Eichler as Vice-Chairperson.

This meeting has been called to consider arrangements for consultations with Manitobans on Senate elections. Before we proceed, I would like to thank our Clerks who put this all together very quickly and our Hansard recording supervisor, Trevor Melanchuk, and his staff for setting up the equipment in this room on such short order. Thank you.

### Point of Order

**Mr. David Faurshou (Portage la Prairie):** Point of order, Madam Chair.

**Madam Chairperson:** Mr. Faurshou.

**Mr. Faurshou:** I believe we should be consistent in our remarks as to the nature of our committee. It's not for Senate election; it's for Senate reform. I don't believe we should have put the cart before the horse in any dialogue or minutes as recorded from this committee's proceedings to such end.

**Madam Chairperson:** Thank you, Mr. Faurshou. The notice of meeting that has gone out states it's a Special Committee on Senate Reform, although the mandate refers to Senate elections.

**Mr. Faurshou:** It was just that, in your opening comments, you said, Committee for Senate Election—in your comments.

\* \* \*

**Madam Chairperson:** There are a number of arrangements we need to consider and agree on regarding our planned consultations across Manitoba this winter, and, as noted before you, the list includes the creation of a subcommittee, terms of reference for the subcommittee, locations of meetings, approximate dates of meetings, minimum number of registered presenters required for a meeting to proceed, guidelines and time limits for presentations, written submissions, guidelines for advertising. The floor is open for comments.

\*(16:40)

**Mr. Eichler:** Madam Chair, I move

That the subcommittee on Senate elections be established to travel and consult with Manitobans; and

That the subcommittee's membership be made up of four NDP members, two Progressive Conservative members, and one Liberal member, with the

membership to be provided in writing to the Clerk's office by the Whips prior to each meeting; and

That the subcommittee hold meetings across Manitoba in January and February of 2009 to consult with Manitobans on Senate elections; and

That the committee meet at the following locations:

- Flin Flon
- Norway House
- Dauphin
- Morden
- St. Laurent
- Winnipeg
- Brandon

And that the subcommittee hold meetings at these locations unless fewer than eight people have registered to present, in which case the Chair will have the discretion to determine if the meeting should proceed or if an alternate arrangement should be made; and

That presentations be 10 minutes, with a further five minutes for question and answer, with exceptions to be allowed by agreement of the subcommittee; and

That written submissions on Senate elections may be accepted by the subcommittee until March 1, 2009.

**Madam Chairperson:** The motion has been moved by Mr. Eichler

THAT a subcommittee on Senate elections be established to—

**Some Honourable Members:** Dispense.

**Madam Chairperson:** Dispense? Thank you. The motion is in order.

**Mr. Derkach:** I think Ms. Howard asked a question about locations. If we could read locations again, and I have an amendment to the motion.

**Madam Chairperson:** Thank you. I have also Mr. Dewar.

**Mr. Derkach:** But I'm not finished yet.

**Madam Chairperson:** I'm sorry.

**Mr. Derkach:** I'd like the names of the locations read, following which I would like to make an amendment.

**Madam Chairperson:** The list is as follows: Flin Flon, Norway House, Dauphin, Morden, St. Laurent, Winnipeg, Brandon.

**Mr. Derkach:** Madam Chair, I guess a motion should be written, but I would move

That an amendment be made to the locations, and that Russell be added to the list of locations.

I will explain, if I may.

**Madam Chairperson:** We have a motion on the floor, an amendment to the motion from Mr. Derkach that Russell be added to the list of locations for meetings on Senate reform. The amendment is in order and the floor is open for discussion.

**Mr. Derkach:** Madam Chair, I would just like to explain for the benefit of the committee why I have added Russell to it, and perhaps there are other regions of the province that one should look at. I'm assuming that the motion was considered by those who put it together.

However, I come from the western side of the province, Madam Chair, and the distance between Dauphin and Brandon, if you were to go by the western route, would be about 200 miles. It becomes a fair bit of travel, especially at that time of the year, if you were to ask people from that fairly rurally populated area to travel to either Dauphin or Brandon to make their presentation. I know that even in other areas, Russell would be chosen, sort of, the centre between the community of Brandon and the community of Dauphin. It covers that off fairly nicely.

I know we could extend the list to such an extent that it would be difficult to cover, but I'm asking the committee's consideration for this, and I am cognizant of the fact that if we keep adding communities that extends the work of the committee and, indeed, the hearings. But I'm asking for the committee's indulgence to look at the possibility of including this community to capture that half-moon-shaped area that is often left without representation in the western side of the province.

**Madam Chairperson:** Any other comments?

**Mr. Gerard Jennissen (Flin Flon):** Madam Chair, I am also wondering, I know I wasn't part of the selection of the venues of where we're going to go, but a large city like Thompson in that particular corner has certainly been omitted. I can hear some screams coming from that area already. So I'm really not sure whether we should put Thompson on arbitrarily. What is it, the third-largest city in the province? I think if we don't, we'll probably hear some cries.

**Mr. Dewar:** I see that there are no communities east of the Red River, Beausejour or Pinawa, all these places, or Steinbach, for example. So I know we don't want to make the list too long, but if we are, and I agree with Mr. Derkach, that we include Russell. I think we'd have to look at a community on the east side of the province as well.

**Madam Chairperson:** Seeing no further comments, pardon me.

**Ms. Jennifer Howard (Fort Rouge):** Far be it for me to speak against going to Thompson since I've enjoyed going to Thompson several times in my life, but I do think that the north is fairly—with Norway House and Flin Flon. I don't know if there's an idea if we would have the power to add locations at a later date if we find that we're not getting the representation that we want and, perhaps, we could revisit.

I just am aware of the timing of the committee and the cost involved with travel, and I just think we should try to be a little bit more constrained in the number of places that we're going. We could add others if we find that we haven't got the representations that we're seeking.

**Mr. Lamoureux:** I think that what we could also do, because it does become a question of how many communities you want to go to visit. We can emphasize, and I know it's not the same thing, but we can emphasize that people can submit written submissions. So, whether you're from Churchill, Steinbach or any other community, the option of making it clear to people that no matter where you live in the province, all written submissions will be accepted. They could even be recorded into the official minutes if that helps dealing with the needs of those other communities.

**Madam Chairperson:** Seeing no other speakers. Sorry, Mr. Derkach.

**Mr. Derkach:** Well, I think some good suggestions have come from around the table, Madam Chairperson. We do have to keep in mind the size of Thompson, Manitoba. I think, by virtue of the fact that it is, I think, the third largest city in our province. I think we shouldn't ignore that.

\* (16:50)

I know that we could talk about the fact that the committee is going to be overworked, but I think this is a very important committee. We are actually asking for citizens to become engaged in the whole

process of Senate reform, which is, to me, pretty historic.

I think that we owe it to the third largest city in our province to at least have a hearing in that part of the province, and I'm in agreement that the east side of the river, a community like Beausejour should be chosen. I think it's easier for us to travel than it is for many individuals. And when you're talking about the north, sure, we have two locations in the north anyway, but travel in the north is not easy. It's a lot easier for a government to send its representatives to communities than it is for people in those communities to travel to locations. So I would support that, Madam Chair.

**Madam Chairperson:** Thank you, Mr. Derkach.

**Mr. Eichler:** Madam Chair, thank you. Interesting comments and certainly all valid ones.

I would ask leave of the committee for the Chair to concur with staff, if we could just take a couple of minutes break and resume at 5 minutes to 5.

**Madam Chairperson:** Is it the will of the committee to recess? *[Agreed]*

We recess.

*The committee recessed at 4:51 p.m.*

*The committee resumed at 5 p.m.*

**Madam Chairperson:** Will the committee please come back to order.

**Mr. Derkach:** Thank you, Madam Chair, sorry, I'll get with the program here yet.

I would like to ask leave of the committee to withdraw my motion in light of the fact that a new motion is going to be proposed.

**Madam Chairperson:** Thank you. Do we have leave of the committee to withdraw the amendment? *[Agreed]*

**Mr. Eichler:** Thank you, Madam Chair, and thank you for the patience of the committee.

I move

That the list of locations be amended to include Russell and Steinbach, and substitute Morden to become Carman, and the following be added to the motion, following the list of locations; and

That the subcommittee be authorized to amend the list of locations, if necessary.

**Madam Chairperson:** It has been moved by Mr. Eichler

That the list of locations be amended to include Russell and Steinbach, and substitute Morden to become Carman, and that the following be added to the motion, following the list of locations—

**An Honourable Member:** Dispense.

**Madam Chairperson:** Dispense? Dispense.

The motion is in order.

Any comments? Seeing none, all those in favour of the amendment? *[Agreed]*

The amendment is recorded as passed. Are there any further comments on the main motion?

**Mr. Dewar:** I don't know about my other colleagues, but I'm interested in getting some information about the current operation of our Senate, the names of our senators, the area that our senators represent and just some general information about our current senators.

I don't even know if the members here can name our senators. There's a possibility for us to, perhaps, interview some of our current senators. So what is the next step in the process of our committee?

**Madam Chairperson:** Those are very interesting questions, Mr. Dewar, but they don't pertain directly to the motion that is on the floor. Perhaps we could deal with the motion and then return to your questions later.

**Mr. Dewar:** I thought the motion passed.

**An Honourable Member:** No, it was the amendment that passed.

**Madam Chairperson:** The amendment has been passed. We are now on the main motion which relates to the logistics of the committee.

**Mr. Derkach:** Which relates to the logistics of the committee—can you explain that please?

**Madam Chairperson:** In reference to logistics, the main motion deals with the locations, the times and when the subcommittee will be meeting, so it's more we're dealing with the how and when and—

**An Honourable Member:** Dispensed and passed. Thank you.

**Madam Chairperson:** Shall the main motion as amended pass? *[Agreed]* Thank you.

Mr. Dewar, Selkirk, do you wish to—*[interjection]* Thank you.

**Mr. Lamoureux:** Madam Chair, just to the point that I think Member for Selkirk (Mr. Dewar) was bringing forward, if there is an information package, a basic information package that can be provided with the information, as requested by the Member for Selkirk to the committee members sometime over the next few weeks, it would probably be of benefit to the committee.

**Madam Chairperson:** Thank you.

**Mr. Derkach:** Madam Chair, if we could just move this along, I would like to recommend that perhaps a brochure can be put together which outlines the terms of reference of the committee and also assists those who may be interested in making presentations, in framing the mandate of the committee, so that anyone making a presentation can take a brochure and, in that way, confine remarks and comments to the mandate that has been set for the committee rather than leaving it open for any type of presentation.

**Mr. Faurchou:** I would also appreciate, and I believe all presenters would appreciate as well what is not only currently in existence regarding the Senate, but that there are other jurisdictions in Canada that have previously gone through this exercise and there have been changes to legislation in other jurisdictions that may also guide this committee and potentially presenters. So, if somewhere this information could be garnered by potential presenters, I would believe it'd be most beneficial for our deliberations.

**Mr. Eichler:** Madam Chair, maybe, if I might be so bold then to ask that the committee, whenever the minutes are sent out from this, at the earliest possible convenience that the information package be included with those, that information that we can gather so that we all can be as well informed as we possibly can at that point.

**Ms. Howard:** Just while we're giving advice, I would—the subcommittee, as they're advertising these meetings, just encourage them, I think it's normally the case, but in the advertisements to make an active offer of accessibility to the meetings, including things like sign language interpretation, alternate formats for written materials. People may not take us up on that offer, but sometimes when you don't even make the offer people don't know it's available. So I just encourage us to do that.

**Madam Chairperson:** Thank you. As information, minutes of these committees are not—there aren't

minutes that appear at the end of the committee. They are in *Hansard*, and *Hansard* will be out with this committee meeting in about a week's time. However, if the request is to the Clerk of the committee, that they can pull together an information package that could be provided to our committee members we could probably do so, and it would—in, I won't say fairly short order, but as soon as possible. Agreed? [*Agreed*]

**Mr. Jennissen:** Further to Ms. Howard's comments, I was just thinking, if we are in Norway House, and there is a possibility a number of elders will be present, and they may just be Cree speakers, so we may be looking for an interpreter as well.

**Madam Chairperson:** My understanding is that the committee can request arrangements to be made for translation services, whether it's French language, and if it's the will of the committee to indicate to provide services for Aboriginal languages, then we can do so. Is that the will of the committee? [*Agreed*]

Perhaps we could look at the guidelines for advertising and whether there are any points that the committee would like to make for inclusion in the *Hansard* in terms of advertising for the consultations.

\* (17:10)

**Mr. Derkach:** Madam Chair, this is a very difficult thing for a committee to do. I don't know how, like, we don't have communicators in this committee, or staff to provide those kinds of advertising, and there has to be some advertising done. I think that should be something that is undertaken by the Chair and Vice-Chair and then presented back to us at some future meeting with a list, or a template, of the type of advertising that's going to be done in local media. For us to do it as a committee is a very cumbersome thing.

**Madam Chairperson:** Thank you, and that's exactly the sort of comment or suggestion that we were also looking at. Thank you.

**Mr. Faurchou:** Just in regard to accommodating our time line here and bringing people together again, I wonder whether, with consensus of the committee, we could, in fact, just leave the advertising to the Chair and co-chair and that way then the advertising can get out in a timely fashion rather than us coming back in the middle of January and getting it out. I think it's imperative that we give as much lead time to potential presenters as possible.

**Madam Chairperson:** Thank you. What is the committee's feeling on that? Do we have leave of the committee to leave it with the Chair and the Vice-Chair to dispense with the advertising?

**Mr. Eichler:** Just before we vote on that, Madam Chairperson, I think it should be in co-operation with the Legislature's Clerk's office. I think that would be a given, but important that they co-ordinate that through co-operation through the Chair and the Vice-Chair.

**Madam Chairperson:** Thank you, Mr. Eichler. It would certainly be in great consultation with the Clerks. So what is the question regarding the advertising that it be—do we have agreement of the committee to leave the advertising to the Chair and Vice-Chair in consultation with the Clerk? *[Agreed]* Thank you.

**Mr. Faurschou:** I think perhaps rather than leaving here without any indication as to the timing of the meetings—it's just stated January and February—would it be possible to narrow that down, say, to after the 20th of January, for instance, to the 18th of February? I'm just looking at—because I think members are looking at some holidays during this time frame and, potentially, if we were able to narrow it, it would be better.

**Mr. Lamoureux:** Madam Chairperson, I think that there was some discussion earlier about the possibility of maybe breaking it into two parts. The first part starting from January 9 to 10, 11, type of thing, where we'd go to the north, and then in early February look at finishing the rest of the tour of communities. Having that break might be a good thing for us at that point.

If that would be agreeable, I think maybe that's the direction we could go in and then allow the Chair and the Vice-Chair to actually finalize those two time frames.

**Madam Chairperson:** If I might put a suggestion as well, perhaps given the membership of the subcommittee, once the subcommittee names are submitted, that the subcommittee could have a meeting and look at the dates that would work.

**Mr. Derkach:** You know, we have to keep in mind costs, but whether it's one committee or two committees, you're covering 10 locations. If we could expedite things, because I know people are going to be taking holidays in this period of time as well, and so it's going to be difficult for all members of the subcommittee to travel, is it feasible to have

two subcommittees and split the list and cover the areas in a tighter time frame and still be able to report to the Legislature in a more reasonable time?

I don't think it's going to cost any more or much more, but I think it might work.

**Madam Chairperson:** It's been pointed out to me that staffing for having two subcommittees, running concurrently, would create a bit of a problem. One of the things that we had talked about earlier today was that there would be the flexibility within the subcommittee membership that substitutions could take place, so that it could accommodate meeting the different commitments that we have for the different locations.

Would that be agreeable to the committee to look at it that way? *[Agreed]* Thank you.

Earlier, I'd made the suggestion about the subcommittee meeting, to make the arrangements and set the dates and times for the meetings. Is it with agreement of this committee that the subcommittee be allowed to have a meeting and establish those dates? *[Agreed]* Thank you.

Looking at our list, I think we've covered all the items that we hoped to get through this evening. Are there any comments or other omissions that you may have noted or wish to raise?

**Mr. Eichler:** Yes, I'm sorry, but there is one other thing I think that needs to be clear, too, as well. For the other members that weren't at the first meeting, that's on our deadlines. I think it would be prudent to forward to the rest of the committee the dates that you had shared with me, Madam Chairperson, that the research would be noted as March 2 to April 9 and that June 4, the report needs to be submitted to the Speaker and no later than that, and it has to be done by resolution.

I think it all needs to be distributed to the rest of the committee, so that they, in fact, do have the time lines outlined, as you had submitted to me, Madam Chairperson.

**Madam Chairperson:** Thank you for raising that, Mr. Eichler. We will include that in the information package that will be distributed to the committee members.

Are there any other questions or comments?

Seeing none, the time being 5:17 p.m., what is the will of the committee? Meeting rises. Thank you.

**COMMITTEE ROSE AT:** 5:17 p.m.



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