

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

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

**Vol. LXI No. 2 – 6 p.m., Thursday, January 29, 2009**

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

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<i>Vacant</i>	The Pas	

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

**Thursday, January 29, 2009**

**TIME – 6 p.m.**

**LOCATION – Carman, Manitoba**

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

**VICE-CHAIRPERSON – Mr. Blaine Pedersen (Carman)**

**ATTENDANCE – 7 QUORUM – 4**

*Members of the Committee present:*

Mr. Altemeyer, Ms. Braun, Messrs. Dewar, Fauschou, Ms. Howard, Messrs. Lamoureux, Pedersen

**WITNESSES:**

Mr. Dale Brown, Private Citizen

**WRITTEN SUBMISSIONS:**

Lee Delorme, 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.

I'm Erna Braun, Member of the Legislature for Rossmere.

**Mr. Rob Altemeyer (Wolseley):** Rob Altemeyer, MLA for Wolseley.

**Ms. Jennifer Howard (Fort Rouge):** I'm Jennifer Howard. I'm the MLA for Fort Rouge.

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

**Mr. David Fauschou (Portage la Prairie):** David Fauschou, MLA, Portage la Prairie.

**Mr. Kevin Lamoureux (Inkster):** Kevin Lamoureux, MLA for Inkster.

**Mr. Blaine Pedersen (Carman):** I'm Blaine Pedersen, MLA for Carman.

**Madam Chairperson:** Thank you very much.

A written submission from Lee Delorme 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 currently have no registered presenters for this evening. Is there anyone in attendance who would like to make a presentation this evening? Seeing none, is it the will of the committee to recess for a while? *[Agreed]* Thank you. Agreed.

*The committee recessed at 6:02 p.m.*

*The committee resumed at 6:21 p.m.*

**Madam Chairperson:** I would like to call the meeting back to order. We have a presenter.

Before we proceed with presentations, we do have a number of other items and points of information to consider. I will ask for the patience of all in attendance as we deal with these housekeeping issues.

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

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.

For the information of all in attendance, we have some background material on the Senate of Canada and this committee available at the table at the entrance to the room.

Prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in committee.

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.

Thank you for your patience. We will now proceed with the public presentations.

I will now call on Dale Brown. Please start your presentation.

**Mr. Dale Brown (Private Citizen):** To start my presentation, Madam Chairperson, members of the committee, press and other guests here, I snuck into the room to sit in the back to get some information tonight and I see you had no presentations. I can't sit at the back and be quiet all the time.

I am a citizen of Carman. I've just recently moved here. So, if people don't know who I am or where I come from, I was at Russell for a number of years before I moved to Carman.

The Senate, Triple-E Senate, has long been a favourite topic of mine. I hadn't prepared anything tonight because, like I said, I was going to sit in the back of the room and listen because of you.

But a Triple-E Senate, if it is elected and effective and equal, will be good for Canada. I think that, because of Canada, because of the size of Canada, the diversification of Canada, the different regions and the way our Parliament is set up with—now we could say we have five parties in there—we need that second thought, sobering second thought. Right now I don't know if—well, we might be getting the second thought, but the thought sometime in there is old because there's no term position of these senators. Once they're appointed, they're there for life, and they're appointed because they know somebody. It's maybe not what they can do for the country; it's what they've done for other people to get there.

So I think that, for our country and our citizens, a Triple-E Senate would be one of the best things that ever happened.

I'll give you a couple of examples: gun control. Wherever you think on gun control, one side or the other, but you know gun control was pushed mostly by people from Montréal, Toronto, Vancouver. They had their hearts set. They wanted gun control. But, when you got gun control out into the different areas of Canada, they didn't want gun control, and it wasn't

good for them. We spent a billion dollars plus for something that's not working. I'm sure if we had a Triple-E Senate there at that time, the politicians, rep by population, would say, okay, we put the bill through, we've done what we could, the Senate took a look at it, asked questions and turned it down. The citizens of Canada would probably be winners in all this. There shouldn't be any winners or losers, but that'd be one of them.

The other one that comes to mind is agriculture policies. We take a look at agriculture policies. Our producers are out in the hinterland and the voting is all done in the regions. So we can see what happens to agriculture policies. I don't like using the United States as an example, but there you have two senators from each state. North Dakota has two senators, California has two senators. So you can see the producer states and the consumer states, there's a trade-off. I think that's why some of our agriculture in the States is a little bit stronger than we are here because we have very small percentage of MPs that represent agriculture. The same could be said for forestries, fisheries and down the line. So that's why I believe a Triple-E Senate would be good.

Sorry, I didn't have this before me, but how to elect senators of Manitoba. Here again, we know we have six senators here. I don't know if—would you have six senators in all the province, or would we go to regions? And how to elect them? I think if we're going to elect them in regions, it would have to be basically the same way we talked about proportionate. I don't think we here again, to be fair, I don't think population-wise, we'd have most of our senators would come from probably Winnipeg if it's wide open because you're going to get elected. I don't believe that senators should be represented by one particular party; I think we should have independent senators. I would hope that they wouldn't be attached to any political party. I don't know where they get their funding, but I just presume you've got to answer to somebody if you're in a political party. How can it be clear thinking all the way through?

So that was some of my concerns. I'm sorry I didn't have a presentation made, but I didn't want to see you people go away empty-handed. I want to make sure you earned a paycheque. But, no, Canada and the way we're going right now, I can only see a Triple-E Senate would be the best, and I would like to see Manitoba representatives in regions. How we'd draw that up population-wise to give every region in Manitoba. We've got, you know, northern region, we've got agricultural regions, we've got urban

regions and we've got other regions. So, I think we'd all have to take a real look in how we'd want to be represented fairly throughout the whole regions.

Thank you very much.

**Madam Chairperson:** Thank you, Mr. Brown. Do the committee members have questions of Mr. Brown?

**Mr. Lamoureux:** Thank you, Mr. Brown. It's interesting, one of the other presenters in Steinbach seemed to emphasize that he'd like to see some of the party politics out of the Senate, and then with your comment, is there any example how you would like to see that? Would you say that you couldn't hold the party membership if you're an elected senator? How would you try to manage something of that nature, or do you have an idea how that could happen?

**Mr. Brown:** Yes, I hadn't had too much thought on it, but—

**Madam Chairperson:** Sorry, Mr. Brown.

**Mr. Brown:** —Mr. Brown, yes—too much thought on it, but I would like to see no money funded to it. I guess it'd be tough to have somebody without a political affiliation because most people would be interested in what's happening in the country, I presume would be supportive of one party one way or the other. But I don't think I'd like to see a political party putting a sign on whatever candidate in the colours of the political party and helping with funding.

**Mr. Lamoureux:** Is fixed elections—how do you have those elections? Would you see it or do you envision it maybe with the same time a provincial occurs, same time as a federal election? Do you see it as a stand-alone election? How would you see a senator actually getting elected and possibly—

**Mr. Brown:** I guess one of the things—I just took a quick look and seen down on the list here—I would think we have municipal bodies in the community that are elected every four years on the four years. I would think this would be probably one of your best ways to tie it in with municipal.

**Mr. Dewar:** Thank you, Mr. Brown, for coming and presenting to us. Currently we have, as you know, six senators. One will retire in 2009, one will retire in 2013, one 2017 and one—excuse me, three in 2017 and one in 2021. So they all will retire when they reach the age of 75, all at different times.

So would you support an action to, say, dissolve the House, dissolve the Senate and have all the senators be elected at the same time?

\* (18:30)

**Mr. Brown:** I would like to see it grandfathered in. We could start—say, if we had three retiring, as they come up, so we have some stability in the Senate as it is and maybe work towards having it elected. I hadn't really thought too far into that, but I don't think we want to dissolve the Senate and have elections for the whole House. We'd maybe be in a predicament.

**Mr. Dewar:** What they do in the States, of course, is I think half of them are elected every six years, so there is at least some continuity. I believe their terms are six years, and they do have at least half the Senate. That might be a better solution than completely dissolving it. But, as I said, they'll all retire at different times because they retire when they reach the age of 75.

But there is one that retires this year. We could, as a committee—the actions that we take as a committee, we could probably, hopefully, have an impact as to how the person will be elected this year. So thanks for your input tonight.

**Mr. Brown:** Yes, I would think that you'd have elections every two years. So every four years you'd have a change, and I would hope there would be eight-year terms on senators so we got some shifting through it, so you get different looks.

I don't think we want to be stagnant in the Senate. I think that's maybe—you know, give them credit. They've done a good job. But I think that in today's age and communications, I think we have to be moving ahead rather than sitting back in the armchair.

**Ms. Howard:** Thank you very much for your presentation. You were talking about an elected Senate, and one of the issues that people have raised is that if you have an elected Senate and an elected House of Commons, is there a chance that they will be in conflict with each other and one will want to do one thing and one will want to do another. They'll interfere with each other, and we'll have a roadblock to any progress happening.

So I wonder if you have any thoughts on how we can structure two elected bodies so we get good government and not simply more government.

**Mr. Brown:** I would think if the bill goes through the House of Commons and it goes to the Senate, it's gone through three readings and it's gone through committee before it gets there. So by the time the bill gets to the Senate and the Senate goes through the same procedure, there should be some good questions and you're not simply trying to rubber stamp something going through.

Yes, it would be, but like I said, I mentioned it before in my scenario about gun control, and we can go back to the GST and how that was put through. Things are stacked up, so they get the rubber stamp on it whether it was right or wrong, but I don't think we had a real good discussion as Canadians and input from all the regions on what effect this would have.

**Mr. Pedersen:** Thank you for coming out tonight, Mr. Brown, and putting you on the spot to give a presentation. It's really good.

Just two parts to a question. First of all, you were talking about four-year terms and then a maximum of two terms. Then in terms of proportional representation, I believe right now western Canada has 24 senators, the Maritimes have 24 and Québec and Ontario each have 24, if I'm correct on that. Ontario may have more, but whatever it is to make up the hundred.

Is that how you see it proportioned out?

**Mr. Brown:** I haven't given it too much thought. I'm just going back to the Charlottetown Accord when it came in, and they were going to even out the Senate. It was going to be fairly close to regional representation in all regions, and I kind of think they would stick to it. But that was a good plan to go for, but you know what happened to the Charlottetown Accord. But they had a fairly good representation there. It looked like it would be fairly compatible for all regions of Canada.

**Mr. Pedersen:** Just a bit of a different question. We're obviously not inundated with presenters at these community hearings. Do you have any suggestions of how we could get better or more of the public engaged in this process, any thoughts on that?

**Mr. Brown:** Promotion. I would think one of the things that maybe there should be—a press release should've been in our local papers a little earlier. I

believe it just showed up last week. I found out about it, you know, in the paper. It was just, I think probably could've had two or three weeks ahead of time, give the coffee shop people a little bit to talk about, so get out there. That would be one of the—I don't know if putting up posters would help. Sometimes it does. Maybe talk to your local radio stations and let them know that these committee hearings are going on.

**Mr. Faurshou:** Mr. Brown, in regard to the actual balloting for an elected senator, would you share your thoughts as to how that might be crafted, or are you looking to just a first-past-the-post type of ballot, or have you considered a preferential-type ballot where one must receive a majority support before being recognized or declared the winner?

**Mr. Brown:** I would think how it was going to be set up in the area or constituency, if you want to call it, you know, where this person is running. I think that, if you had six of them set up throughout Manitoba, you would have to go by first-past-the-post.

**Mr. Faurshou:** Yes, you referred to the U.S. Senate and a balance between consumer and producing states there, and then you also spoke of the U.S. Senate seemingly that, yes, they are elected by parties but they don't effectively vote along party lines on each piece of legislation. I might state that the U.S. does not, on a regular basis, exercise the party whip and does allow members to vote by their representation and in the interest that they feel is best for their particular state. Perhaps that might even be something that the Canadian Senate would employ. Have you any comment?

**Mr. Brown:** I think, as far as the Senate—from what I know, if the Senate defeats a bill, there's no motion of non-confidence in the Senate. So they would stay even if they didn't go for the bill or they could vote it down. They don't dissolve the Senate because they voted a bill down, where the House of Commons, if they vote a money bill down, then there's no confidence and we're back for an election. I think we want to get away from—people be able to think without a threat.

**Madam Chairperson:** Thank you very much, Mr. Brown. I see no further questions.

To the committee—oh, Mr. Lamoureux.

**Mr. Lamoureux:** I have one follow-up question, if I may.

Mr. Brown, you had talked about the gun registration, and it kind of picks up what Mr. Faurischou was saying. I'll give you a hypothetical example. If they passed gun registration in the House of Commons, 308 members of Parliament duly elected and a majority of them pass it, now it goes to the Senate. There's an argument that the only thing the Senate should be able to do is cause a time delay. So, if they fight the bill, it would be a 90-day delay or a six-month delay, or something of that nature. But the House of Commons and the legislation they pass must prevail, and then after it hits that time frame, it automatically then becomes the law.

Would you be comfortable with that?

**Mr. Brown:** I would like to see them send it back for some second thoughts, and I'm sure a lot of times people have got the second thoughts and all what was going to happen out in the hinterlands. If you pass this bill, I think there would be a number of people that—yes, it is a touchy issue because, here again, you have the rep by pop in there, but I would hope that the Senate would be the sobering second thought that it was supposed to be instead of a rubber stamp.

They do have some conflicts in the States. You can find out with the Senate, and the Senate is there to grill people. They just don't get appointed to a job without the Senate asking questions and interviewing those people before they take over the job. Let's say, the Government of Canada, the Chief Justice, they get interviewed down there to make sure that they're going to be worthy of the position.

\* (18:40)

**Madam Chairperson:** We have exceeded our time. What is the will of the committee? *[interjection]* To extend? Agreed? *[Agreed]*

**Mr. Faurischou:** I find your response to the balloting question one that—as far as first past the post, if you're working with a first-past-the-post side of things, can you see that may create inequities when all the cumulative voting patterns are evaluated afterwards and perhaps there is not representation by the majority?

**Mr. Brown:** There again, I didn't give it too much thought, but when it was set up, the regions to vote in—and here again, I hope it'd not be political, it would be all independent people running, so you wouldn't have a party represented, it would be the person in that area who would represent the constituency. I don't think you'd want to take the second-place person and take the will of the voters away and put him up first.

**Mr. Faurischou:** When someone, then, is elected in the fashion to which you describe, would consideration of recall be anywhere within the voting public's realm?

**Mr. Brown:** I don't believe so. Right now I can't see a recall.

**Mr. Faurischou:** So, then, how do you get the other two Es in your Triple-E type of Senate? You've gone down the election road here, but how do you see the equal if, as it presently stands, with a colleague of mine, saying, at best, the Senate can hold up a bill, at the present time. How do you then address equal?

**Mr. Brown:** I think equal would be having equal representation from each region. And effective is you sit there and you put the bill back if they didn't like it.

**Madam Chairperson:** Ms. Howard?

**Ms. Howard:** No.

**Madam Chairperson:** No? Thank you. Seeing no further questions, thank you again very much, Mr. Brown.

**Mr. Brown:** Thank you.

**Madam Chairperson:** That concludes the list of presenters I have before me. Is there any other person in attendance who would like to make a presentation?

Seeing none, the hour being 6:42, what is the will of the committee? The committee rise? All agreed?

**Ms. Howard:** Committee rise.

**Madam Chairperson:** Committee rise? Agreed? *[Agreed]* Thank you.

**COMMITTEE ROSE AT:** 6:43 p.m.

**WRITTEN SUBMISSIONS PRESENTED  
BUT NOT READ**

My recommendations for an elected Senate are as follows:

1. Senators should be elected just like members of Parliament.
2. Elections should be held every four years just like for MPs.
3. By-elections should be held once a senator retires, dies or moves to another job, position,

et cetera. The Prime Minister should not have authority to appoint.

4. There should be limits to terms, preferably eight or 12 years, with a mandatory retirement age at 65 or 70 years of age. The cash-for-life program has to be curtailed.
5. There should be some re-evaluation of the distribution of Senate seats which would be a better reflection of the demographics of Canada. Representation from the Maritime provinces is disproportionately excessive.

Lee Delorme



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