

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. 4 - 1:30 p.m., Monday, November 9, 2009

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

Member	Constituency	Political Affiliation
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.
BLAIKIE, Bill, Hon.	Elmwood	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.
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, Hon.	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, Hon.	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.
WHITEHEAD, Frank	The Pas	N.D.P.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.
<i>Vacant</i>	Concordia	

**LEGISLATIVE ASSEMBLY OF MANITOBA
THE SPECIAL COMMITTEE ON SENATE REFORM**

Monday, November 9, 2009

TIME – 1:30 p.m.

LOCATION – Winnipeg, Manitoba

CHAIRPERSON – Ms. Erna Braun (Rossmere)

VICE-CHAIRPERSON – Mr. Ralph Eichler (Lakeside)

ATTENDANCE – 12 QUORUM – 7

Members of the Committee present:

Hon. Ms. Marcelino

Mses. Blady, Braun, Messrs. Dewar, Eichler, Faurshou, Ms. Korzeniowski, Messrs. Lamoureux, Pedersen, Saran, Mrs. Taillieu, Mr. Whitehead

Substitutions:

Mr. Altemeyer for Hon. Ms. Marcelino at 3:20 p.m.

Mr. Martindale for Ms. Korzeniowski at 3:20 p.m.

Hon. Ms. Allan for Mr. Altemeyer at 4:15 p.m.

MATTERS UNDER CONSIDERATION:

To consider preparations for developing the final report of the committee.

* * *

Madam Chairperson: Good afternoon. Will the Special Committee on Senate Reform please come to order.

This committee has been called to consider preparations for developing the final report of the committee.

For your consideration you will find on the table before you a document titled the Report of the Special Committee on Senate Reform, dated November 9th, 2009.

The floor is open for questions and comments.

Mr. Ralph Eichler (Lakeside): For discussion purposes, I'd like to move that we bring the report forward for discussion and feedback from the members in regards to the report that's been brought forward to us and prepared by the Chair for discussion purposes. *[interjection]*

The Clerk's office has brought to my attention we don't need a resolution at this point to discuss the prepared report. So with that, I'd like to withdraw that resolution at this point.

Madam Chairperson: Is it the will of the committee to withdraw the previous motion? *[Agreed]* Thank you.

Mr. Eichler: In regards to the report on section 8, I'd like to bring forward the following for information and concerns that we may have with the report as presented, and that's the process for filling seats, and, if you would refer to that, that the way it currently sits, if there is a position that becomes available, my concern in that regard is that having it tied to a federal election, and it just happened to pass that a federal election had been called and there was a vacancy that became available, in order to fill that position in a very timely manner I think that we need to have a flexibility to either have that combined with a provincial or municipal election depending on which would occur first.

Also, I think that consideration should be given but not necessarily outlined, and it says a stand alone would be an election on its own. And I know we've talked about this from time to time in regards to a stand-alone election because of the low vote turnout and, of course, also because of the economic reasons, that being a concern that we did have that we have talked about.

But I do think it would be something that I would throw out there that maybe should be included in the process for filling a vacancy if it did become available in a process whereby a federal election had just passed rather than have that turned—that position be sat vacant for another possibly four years.

Mr. Kevin Lamoureux (Inkster): Madam Chair, not to take away from the comments that were made by the former speaker, what I was gonna ask is, the presentation that we're now looking at, when was this actually circulated? The first time I've seen it is when I took my chair here at the committee about less than five minutes ago.

Madam Chairperson: This particular report we had numerous discussions on and I believe that I gave

you a copy of the report probably the last couple of days that we were sitting this past fall.

Mr. Lamoureux: So there is no changes from this, then, what you had provided us back in the beginning of September?

Madam Chairperson: The only changes would've been some grammatical, and in the text, in terms of better, I guess, better grammar and sort of technical things, there wasn't any changes in the substance.

Mr. Eichler: In regards to the—just again, the discussion for the Liberal member, my understanding in discussions with the Chair is that it was submitted to the Clerk's office for the cleanup of legislative terminology in order for that to, in fact, be politically correct when it comes to the way the terminations and explanations of the Clerk's office so that it would be meeting those requirements. Is that correct?

Madam Chairperson: The—just for clarification—the appendices would've come from the Clerk's department in terms of the proper format of a report. There were suggestions made to myself in terms of grammatical corrections in the body of the report that essentially I put together for you. So the appendices would've been what came from the Clerk's department and the body of the report is, as I said, what I've been sharing with members of the committee throughout.

Mr. Lamoureux: Yeah, Madam Chair, let's just go to page 4, the recommendations, and use it as an example where it states and we quote: Elections should be held in the province to elect nominees to the Senate that will be forwarded to Ottawa. Elections should be administered through Elections Canada with costs being the responsibility of the federal government.

There was a number of discussions that we would've had related to that particular issue, that I was of the opinion, when we were having that discussions, that we were still having dialogue on the possibility of changes to that, and that's the reason why in part we weren't able to come up with a report prior to the House rising. Then if you go to the page—page 3, where Mr. Eichler made reference to filling of the Senate vacancies, and here it's even clearer. It states that they remain vacant until a federal election is held.

I have, and Madam Chair you are aware, some very serious reservations in regards to Manitoba wiping its hands of any responsibility of guiding electoral reform in the Senate Chamber, and that

seems to me what it is that we seem to be doing, because, even if you take a look at the number of presentations that were made, at least 50 percent I believe—less than 50 percent I should say, supported that the election of the Senate be held in conjunction with the federal election, and it seems to me that this report is weighted towards that, and I was of the impression that we were still in the discussion phase as opposed to here's a report based on some discussions that we might've had, and we're expected now to pass this report? Maybe you can just provide some clarity on those comments.

* (13:40)

Madam Chairperson: Ongoing discussions occurred throughout the fall and there were a number of areas in which there were differences of opinion and certainly the goal in—that we had in mind was to arrive at consensus, and I think that throughout the discussions there were certain areas in which my understanding was that there was not going to be a consensus arrived at, in terms of the issues, and the electoral process was one of them. And so I think that at this point, it is appropriate to come forward with a report and present it to the committee and for consideration.

Mr. Lamoureux: So, for clarity, this is what you're proposing be the report and—with the idea that it would be passing this afternoon, and that would be it for the report in terms of Senate reform.

Madam Chairperson: I think that after a full year in which we have been considering this issue that I think the time has arrived in which the report should be considered and brought forward to be passed.

Mr. Lamoureux: Madam Chair, with all due respect, I think since Mr. Gary Doer's departure the wheels seem to have fallen off the wagon and, quite frankly, I would suggest to you that there needs to be more dialogue and more reflection on what we heard in the public, and to think in terms of what Manitoba's role is on the whole issue of Senate reform. I didn't come here this afternoon in anticipation that this report would be sitting on the table and that I would be expected to either support or oppose the report.

I can tell you right offhand, as it is printed, I couldn't support this report. I would suggest that it might be in the best interests of the committee to rise and allow for some consultation prior to the committee meeting where we can attempt to get a consensus.

Madam Chairperson: I think that given the fact that this committee has had a year-long mandate already, and that quite a few discussions have gone on over this period of time, that I think that given the recent events with Senate deliberations in Ottawa, that it's probably appropriate for us to consider this at this time and decide to pass it.

Mr. Lamoureux: I guess I'm not as concerned about what's happening in the Senate today; I'm more concerned about the Senate of tomorrow and the valuable role that it could play in terms of protecting Manitoba's interest. And Manitoba has established a certain amount of, I believe, capital in debating the whole issue of constitutional reform, whether it was through the Meech Lake Accord or the Charlottetown Accord, where I believe we've got credibility on the issue, especially Senate reform, and that we are washing our hands of any sort of responsibility. I think it would be a tragic mistake for us to move forward without ensuring that there's an opportunity to build on a consensus. And I would put it in the form of, I guess, of a question. How does the committee believe that having Elections Canada conduct an election simultaneously with a federal election is going to be in Manitoba's best interest and where in the public hearings did we get that from? Because it definitely wasn't a majority of people coming from the public saying that that should be the case.

Madam Chairperson: I think that we have received and heard from quite a number of Manitobans. I think the report in the discussion point summarizes what we heard from the groups that presented orally or with written presentations, and I think that we've gone through and discussed back and forth, keeping in mind that this is an issue that we can only make suggestions to the federal government. It is the federal government that will have to step into the issue of constitutional reform because that's what we'll require to make any changes in the Senate. And I think by taking this report, passing it and forwarding it on to the federal government, this will give us an opportunity to have a say in terms of when they start looking at Senate reform the things that we heard from the Manitobans that presented.

Mr. Blaine Pedersen (Carman): Madam Chair, I have a question, just clarification on a different point. On—under IV, discussion points, item No. 1, current status of Senate, and you go down to the third paragraph—you're following me there. The line begins with: regardless of whether presenters agreed that the Senate should be abolished.

My question is: Who are the presenters agreeing with and what are they agreeing to, and just where exactly did that particular line come from?

Madam Chairperson: We did hear from a number of presenters who did express that their preference would have been to have the Senate abolished. However, they did say that if an elected Senate would be—could be worked out in Ottawa, that then the current process wasn't appropriate and they would like to see it scrapped.

So, perhaps my grammar isn't all that concise, but certainly the intent of that statement is that regardless of whether presenters were in favour of abolishing the Senate or in keeping the Senate, they felt that there needed to be a fundamental change.

Mr. Pedersen: Well, I think that would've cleared it up a little bit. I'm not going to get hung up on it, but I just did have a bit of an issue with the way the sentence was written, and the mandate of the committee was to hear presentations on election of Senate; it had nothing to do with abolishing the Senate. So whether you'll entertain—I don't know, do you need a motion to change that or a suggestion to change that? I don't know what the procedure is here.

Madam Chairperson: In reference to procedure, it's been suggested that there are a couple of options that we have. We can adopt the—or we can move to adopt—we can move the—I'll leave—

Do we have leave to allow the Clerk to clarify the two options? Is there leave?

Some Honourable Members: Leave.

Madam Chairperson: Okay.

Clerk Assistant (Mr. Rick Yarish): There's two ways you could proceed with this. One, you could begin by moving a motion to adopt the report, and then, during the debate on that motion, you could move an amendment to the motion suggesting a certain change. So, in your case, you know, that line be changed or removed. Or if there were a list of changes, you know, as through this discussion, if you came up with a few suggestions for change, you could move one motion that contained all of that. In other words, the wording would be something like: Move that the committee adopt this report with the following changes. And then detail them in the motion. So you could do them in one big motion or in a motion with amendments to.

Mr. Pedersen: So, then, just for clarification, there will be a motion to adopt this report, at which time

then there will be a chance for a motion to amend this particular clause. Am I correct in assuming that?

Madam Chairperson: Yes.

Mr. Pedersen: Then I will leave it 'til then.

Madam Chairperson: Thank you.

Mr. Lamoureux: Madam Chair, I know that—I have before me, I know other members have received this letter, and it was actually from the Honourable Bert Brown, and it was addressed, and I understand that Mr. Chomiak would have been provided one, all members of this particular committee. I believe Mr. Doer was made aware of the letter, and it makes a very important point that I'd like to highlight, and it's in, I guess, the fourth paragraph. And it reads, and I quote: for the first time in 140 years, we have a Prime Minister who is committed to the right of the voters of each province to choose who represents them in Senate.

* (13:50)

Now, I understand that the Province of Manitoba had a responsibility to look and canvass public opinion as to how we could best get a selection of names that would ultimately been put onto a list in hopes, in trust, in faith that the Prime Minister, whomever that Prime Minister might be, would, in fact, appoint that.

The core of this report, if it was to pass, would say we don't want nothing to do with that. Instead, we want Elections Canada to take full responsibility of it, and it should be held in conjunction with federal elections.

I think that we have to be very clear with Manitobans, despite what we heard at the committee level, despite our experiences with the Meech Lake Accord and the Charlottetown Accord, that we're going against, or some members of this committee are going against, what's in the best interests of Manitobans. And I think we need to be very clear on that point.

The question that I would put is: Can members who support having it in conjunction with the federal election and Elections Canada being charged with the responsibility of administrating, can those members please explain to me and to Manitobans why it is they have taken that position, which contradicts what we've heard and what I believe is in the best interests of Manitobans?

Madam Chairperson: I would say that if we're dealing with Senate elections, those are decisions that are going to be made at the federal level, and the degree of input that, as a province, we have is occurring at this point in which we are forwarding our suggestions, which is a summary of some of the things that we have heard from Manitobans.

So, I'm not—I'm not sure what specifically you're—you have to also keep in mind that there are constitutional issues which are things that need to be taken into consideration in terms of our report. We certainly cannot, in a report, include anything which would not fit constitutionally.

Mr. Lamoureux: Madam Chair, what I'm asking for is any member of the committee that is prepared to state for their public record as to why it's in Manitobans' best interests just to explain their position.

I'll explain why I believe it should be done either at the provincial level in terms of the election, municipal level, or stand alone. Any one of those three, I could accept.

What I cannot accept is that it be just handed off and be held in conjunction with the federal election ran by Elections Canada. That's what I can't accept.

What I'm looking for is any member of the committee to explain to me the rationale and why it's in the best interests of Manitoba to accept that we just hand off that role and responsibility to Ottawa. I'd like to hear the arguments for it.

Madam Chairperson: I would say that the recommendations that are coming forward have come as a result of many, many months of discussions and consultations with members of the committee. So at this point, the recommendations that are before you are ones that have been talked about and discussed at length over the last number of months.

Mr. Eichler: Just for the record, the concern that I had brought forward earlier in regards to section 8 and how professionally the Clerk's office has advised us to the proposed changes, if any, would have to go in after a motion has been brought forward to adopt the report, and then at that time, then we can make those proposed changes to the report if we feel they're necessary to bring forward at that time. I think that might help the Liberal member from some of his discussions in regards to whether or not a change may be made to the report and then at that

time would be able to discuss it. Is that—is that correct?

Madam Chairperson: You're correct. If the committee wishes to go ahead with moving to adopt the report, and that would open it up to discussion and any amendments that would come forward.

Mr. Lamoureux: Madam Chair, I want to—I want to continue to pick up on a point. The only argument that I've heard to date in terms of that the Senate election should be held in conjunction with the federal election was that of cost. That is the only point that I'm aware of.

Can you or any other member of the committee explain to me any other point that was brought forward, whether it was in public committee, public consultation, or that you're aware of, that illustrated why it was in Manitoba's best interests to go with the federal outside of the cost factor?

Madam Chairperson: The discussions, as I recall, also indicated that the issue of the Senate is in the federal jurisdiction. It will have to be through the opening of the Constitution and constitutional discussions which puts it in the federal jurisdiction.

Mr. Lamoureux: Even though we have the current Prime Minister and professor—constitutional professors that would ultimately say that there is nothing wrong with the Province providing a list of elected senators, that argument would—

Madam Chairperson: In response, if we refer to the act that put this committee into place, it indicates that we are to make recommendation about how Manitoba senators should be elected within the framework of the Constitution, which to me would indicate that that's within the federal jurisdiction and what we are doing is forwarding our recommendations to the federal government in terms of what Manitobans have seen as items that they would like for consideration.

Mr. Lamoureux: It would seem to me that would contradict why we would even then go and meet with the public. The purpose of us meeting with the public was to try to assist us in deciding on how we could develop a potential list that the Province would be able to submit.

So, basically, you just finished saying, you're saying that that was just a waste. It wasn't necessary because it was unconstitutional.

Madam Chairperson: I think the act that was passed in 2006 was clear that the committee would

hear from Manitobans, and I think that over the course of the year that we have done that.

Mr. Lamoureux: Then let me pose the direct question. Is it not possible for Manitoba as a province to be able to submit a list of preferred candidates that would be based on getting that list developed through an election here in the province of Manitoba?

Madam Chairperson: The recommendations that the committee is—or the report is bringing forward is that that be done through the federal election, federal Elections Canada, and that it be done within the context of the Constitution.

* (14:00)

Mr. Lamoureux: But it was within our ability to be able to make that recommendation that it be a list forwarded by the Province based on a provincial-municipal or stand-alone election. Correct?

Madam Chairperson: The list would be generated through the process that the recommendations are suggesting to the federal government that within the context of the constitution to allow them to develop the process to have the elections.

Mr. Lamoureux: But the process in which I just finished describing is constitutional, is it not?

Madam Chairperson: That would require—I honestly can't say whether it would be constitutional because that would require the consultation with constitutional lawyers to see whether or not what it would have to be done in order to conduct that.

Mr. Lamoureux: Madam Chair, one of the arguments—and I made reference to it in terms of the concern with regards to having a stand-alone election versus one in conjunction with other jurisdictions whether it's municipal, federal or provincial—has been that of cost, and, as an example, I was told that the cost was somewhere in the neighbourhood of \$3 million-plus. Is that still the case today? Does the Chair know what the cost factor is, whether it's a—held in conjunction with the feds, the province, the municipal or stand alone? Do we actually have that information as a committee?

Madam Chairperson: The information that we have is based on what the Albertans spent. We can only project that costs would be very similar, and I think that in, certainly, this time of fiscal—needing to be fiscally responsible, I think that those are costs that I think we have to really consider.

Mr. Lamoureux: The reason why I say that is because in some of the discussions that we had back in the beginning of September related to costs, and, in my research and reviewing some of the information that was provided to committee members, there was a form that was submitted to everyone and it was Alberta's Senate election experience, the factual backgrounder, submitted by a special committee on the Senate elections to Manitoba by Betty Unger and Link Byfield Alberta senators-elect, 2004-2010, and in it, it makes reference to costs, and the municipal costs were right around that \$3 million. When they ran it in conjunction with the provincial election they're stating it at \$1.6 million, and, you know, believing that everyone was of the opinion that it was a \$3-million cost and that's the reason—one of the reasons, apparently, why there was concern about it not being a provincial.

I'm wondering if, you know, to what degree has that actually even been looked at. What is the cost? The taxpayer is a taxpayer, whether it's Ottawa, the Province of Manitoba footing the bill. Do we know what the cost is, any projection? Has anything been done to assist the committee in that—with that respect?

Madam Chairperson: We heard from a wide variety of people, including those from Alberta, and I think that we considered all of the reports and I think that our recommendations were based on discussions that we had in terms of what we felt Manitobans were most comfortable with.

Mr. Lamoureux: Okay, and then, based on the comment that what Manitobans felt most comfortable with, we have the support sheets that were provided to us, and one of the questions was: Should the election be held in conjunction with other elections? And it's an interesting response, there is no clear majority if in fact there's—on the issue conjunction versus stand alone, it appears as if it was 50-50, 17 said stand alone, 17 said in conjunction. A number of them that said in conjunction didn't have a problem with the province, the municipality or the— or the federal, but they felt that it should be in conjunction.

So there is no clear indication that it should be on—in conjunction on a—on a federal basis. There's no clear indication at all in favour of that. And that's why I think it's very important that we gain some insight on the record, publicly, as to why it's in Manitoba's best interest to have it in conjunction

with the federal election. Once we get a response to that, I'd be more than happy to articulate, at least in part. I know I have very limited capabilities, but I'd be more than happy to articulate as to why I think it might be better to have it in conjunction with the provincial elections or municipal elections, even possibly a stand-alone election. But first I'd like to hear some rationale that was used to justify having it simultaneously or in conjunction with the federal election. And I think as a committee member, I'm owed at least that, to have an explanation, not, you know, a discussion that might have occurred in an informal basis. You know, there should be some dialogue in the committee on it.

Madam Chairperson: With looking at the information that we received from Manitobans, I think that because it was not a very clear-cut indication as you indicated we received from the public, I think that through the committee discussions and speaking with members of the committee that the recommendations were such that the decision that being that it is a federal jurisdiction, that that would be the way to go with the Senate elections.

Mr. Gregory Dewar (Selkirk): Madam Chair, I move that this committee adopt the Report of the Special Committee on Senate Reform, dated November the 9th, 2009, and provide the same to the Speaker of the Assembly.

Motion presented.

Madam Chairperson: The motion is in order and the floor is open.

Mr. Pedersen: Madam Chair, and correct me if I'm not using the proper procedure, but I would like to move the following amendment: That the item 4, discussion points, subsection 1, current status of Senate, that in the third paragraph, the following be struck from the report: regardless of whether presenters agreed that the Senate should be abolished.

And from there, then, it would be—continue on with a capital on there.

* (14:10)

[interjection]—Madam Chair, I'd ask leave of the committee to properly introduce this motion.

Madam Chairperson: Is there leave of the committee?

An Honourable Member: Leave.

Madam Chairperson: Thank you.

Mr. Pedersen: I will make the motion. I move to make—just a moment, we got to get this straight.

I move that the motion be amended by adding after November 9th, 2009, "with the following amendment: to strike out in Section IV, Part 1, the following words: 'regardless of whether presenters agreed that the Senate should be abolished.' "

Motion presented.

Madam Chairperson: The amendment is in order. The floor is open.

Mr. Pedersen: I just feel that the wording of it was a bit awkward. The point of the—the direction of the committee was to hear about Senate elections. It was not about Senate being abolished, and I think that by taking out that, it—we did hear from presenters who favoured having the Senate abolished but, again, it was not the mandate of the committee to do that. I feel that this just clears up, cleans up the language somewhat in this report.

Madam Chairperson: If there's no one else, then are we ready for the question? *[Agreed]*

Okay, the question before the committee is as follows—*[interjection]* The motion is being photocopied. We just have to wait a moment.

Okay, the question before the committee is as follows. The motion by Mr. Pedersen, that the motion be amended by adding after November the 9th, 2009, the following amendment: to strike out in Section IV, Part 1, the following words, "regardless of whether presenters agreed that the Senate should be abolished."

Shall the motion pass?

Some Honourable Members: Agreed.

Some Honourable Members: No.

Voice Vote

Madam Chairperson: All those in favour of the motion, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Nays have it. The amendment is accordingly defeated.

* * *

Mr. Eichler: I have an amendment I would like to move, that the following be added to the first clause under Section IV, Discussion Points, in Section 8, known as the process for fill-in seats, right after the first paragraph, that this be added: "or the next provincial or municipal election, whichever occurs first." *[interjection]*

* (14:20)

In light of making sure our wording is correct on all resolutions and through the assistance of the Clerk's office, I ask to withdraw my previous resolution and present another.

Madam Chairperson: Is there leave from the committee to withdraw? *[Agreed]*

Mr. Eichler: I move that the motion be amended by adding after November 9th, 2009, "with the following amendment: that the following be added to Section IV, Part 8 right after the first paragraph: 'or the next Provincial or Municipal election which ever occurs first.' "

Madam Chairperson: It has been moved by Mr. Eichler that the motion be amended by adding after November 9th—

An Honourable Member: Dispense.

Madam Chairperson: Dispense? Thank you.

The amendment is in order. The floor is open for questions.

Mr. Eichler: Not a question, but a comment, Madam Chair.

I do feel this gives the opportunity to fill a position in a very timely manner. And I think that's what's happened in the past when we were in committee and we had a position that became available and, if we would have tied it to a federal election, not knowing when that's going to be—this gives us the opportunity, the tools of which would ever occur first—a municipal, provincial or federal election—gives us those tools we need in order to move forward in election of elected Senate. And I think that was the mandate that we were given in order to expedite this in a way that would be filling those positions and the process would be very clear about where we wanted to go.

But the rest of it is fine the way it's written. I think that, you know, the cost and the rest of it is very clear. So I think this makes it just a little bit more workable in regards to the report we're bringing forward to the House.

Madam Chairperson: Thank you.

Shall the amendment pass—I'm sorry.

Mrs. Mavis Taillieu (Morris): Yes. I would just like to make a comment on this.

I think that Mr. Eichler has moved an amendment that we could all support, because if there was an unfortunate situation where one senator could not for any reason serve out the term and that just occurred right after a person was elected, that would leave a vacancy with an unelected—with an unrepresented area. So it could be a fairly lengthy process—or time between that time and the next federal election. It makes sense, I think, to be able to tie it on to the next available election, whether that be a municipal or a provincial one. I think it just makes a lot of sense.

Madam Chairperson: Thank you.

Any further questions or comments?

Seeing none, shall the amendment pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Voice Vote

Madam Chairperson: All those in favour of the amendment, say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Nays have it. The amendment is defeated.

* * *

Mr. Lamoureux: Yes, Madam Chair, even though my preference—and I guess I don't know if it's in order, it might even require leave of the committee—I would suggest to you that given the fact that—given the fact that, you know, it was 2 o'clock or 1:30 today that we were actually provided the final printed format of this committee's—or a portion of this committee's thoughts and ideas that it would be best served if we were to delay any passage so that we can actually have some dialogue on it.

* (14:30)

I think the—Mr. Eichler has moved some amendments, or his party has moved some amendments that I think deserve some debate and discussion and definitely have a great deal of merit that we shouldn't be just throwing them to the side like this, and it would require leave, I suspect, of the committee, but I would guess—I would ask for that leave that if we would canvass the committee to see if there would be leave to defer any further dialogue or passing of this report until members have been given at least an appropriate amount of time, appropriate being defined as at least 24 hours, of being able to look and study at this report.

So I would ask, Madam Chair, if you would ask if there would be leave to allow for members, at least 24 hours, to be able to better understand what has been provided to us.

Madam Chairperson: With the protocol that is in place for this particular committee, this committee cannot choose to adjourn and to reconvene on its own. It requires the Government House Leader (Mr. Blaikie) to ask leave to—for the House Leader to call another meeting.

So what this committee can do is move to rise and request that the House Leader set another meeting date.

Mr. Lamoureux: Madam Chair, then I would move that the committee rise and allow the House leaders to set another date.

Madam Chairperson: Mr. Lamoureux, we would require your motion to be in written form.

Mr. Lamoureux: Madam Chair, in order to expedite, it's slightly different than what I just finished saying, but the essence is the same. So I would ask leave if I can bring in this motion, as opposed to what I verbally read two minutes ago.

Madam Chairperson: Is there leave?

Some Honourable Members: Yes. Leave.

Madam Chairperson: There is leave.

Mr. Lamoureux: I would move that the committee rise, and we ask the House leaders to call the committee to sit at a later date.

Motion presented.

Madam Chairperson: The motion is in order. The floor is open.

Mr. Eichler: This is an all-committee report that we're trying to establish here, and I certainly feel that all parties need to be heard, and if one member is not sure or feeling uncomfortable in regards to passing the report that's going to be going to the Assembly, then I think that it would be important that we try and reach some type of compromise. If that means adjourning the committee for a short period of time, 24 hours, or three days or four days, whatever the time allowed that would be needed to discuss the timelines of which this report needs to be brought back to the Assembly, be granted. So I speak in favour of the resolution brought forward by the—by the Liberal Party in order to give them time to assess the report and bring back necessary recommendations.

Mr. Lamoureux: Madam Chair, I appreciate the comments from Mr. Eichler. I can assure committee members that it is not a filibuster of any sorts. I would welcome just the opportunity just to be able to get a better understanding of what's in the printed document and in hopes that ultimately we can have that consensus. That's really what I want to achieve. And it would be of great value, I believe, if the government members would support the resolution—or the motion.

Madam Chairperson: Any further speakers?

Is the committee ready for the question?

An Honourable Member: Question.

Madam Chairperson: Shall the motion pass?

Some Honourable Members: Pass. Agreed.

Madam Chairperson: Motion is accordingly—

An Honourable Member: No.

Madam Chairperson: No? No?

An Honourable Member: No, no, no, no, no, no, no.

Voice Vote

Madam Chairperson: All those in favour of the motion, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Nays have it. The motion is defeated.

* * *

Mr. David Faurshou (Portage la Prairie): Madam Chair, I, too, would like to see an amendment to the current motion, and the motion that I have before me.

I would like to move that the motion be amended by adding after November 9th, 2009, the following amendment: that Section V, Part 3, subsections i, subsections ii, and subsection iii be struck out.

Madam Chairperson, wanting always to be grammatically correct, may I reread my motion with the correct grammatical amendments to my motion?

Madam Chairperson: Is there leave?

An Honourable Member: Leave.

Madam Chairperson: Go ahead, Mr. Faurshou.

Mr. Faurshou: Thank you, Madam Chairperson.

I move that the motion be amended by adding after November 9th, 2009, "with the following amendment: that Section V, Part 3, subsections i, ii, and iii be struck out."

Madam Chairperson: It has been moved by Mr. Faurshou that the motion be amended by adding after November 9th, 2009 the following—

Some Honourable Members: Dispense.

Madam Chairperson: Dispense? Thank you.

The amendment is in order. The floor is open.

*(14:40)

Mr. Faurshou: I appreciate the committee members' indulgence in regards to the amendment proposed by myself this afternoon. In review of the documentation provided to us as a summary of the presentations made to the Special Committee on Senate Reform, it is very evident that there was few, if any, presentations made to this committee that made such specifications that referred to Winnipeg, Manitoba south and Manitoba north, and the specifics of the number of senatorial jurisdictions.

We as a province have been allotted six senatorial seats. And it was the mandate of this committee to define how best to represent Manitoba in the Senate. And we received many presentations to that effect stating that Manitoba would be better represented if, in fact, the senatorial representatives did not all come from the city of Winnipeg. It is was a very strong feeling that the diverse interest throughout the province would be best represented if persons came from the various sectors of the province and did not reflect what is in existence

today in the House of Commons and that is a representation by population.

And I think that we'd do the province a great disservice if we, once again, as a committee, came forward with the report as it's written now which, essentially, once again, provides for senatorial representation right along those same lines as that of the elected members of the House of Commons based upon population.

I think the province of Manitoba would be much better served, and, in fact, there are presentations that we heard with very articulated positions that Manitoba must have senatorial representation from throughout the province based upon the great diversity which we enjoy here in Manitoba.

So the amendment that I'm proposing basically strikes out the subsections i, ii and iii, and leaves part 3 reading, there should be regional representation amongst Manitoba's allotment of the six Senate seats. And that is what we heard, but to go any further than that is not supported by any of the presentations that we received when we convened any of our subcommittee meetings. And I think it would be a great disservice to Manitobans to go any farther than what we heard from the presenters.

And I believe that the representation by the senatorial seats in Manitoba is a whole other area of discussion which could be entertained at another date and, then, at that juncture in time, a very specific question could be answered by presenters that would give a much more clearly defined boundaries for senatorial seats. And I believe that at this point in time we should not go farther than we originally were designed as a committee to do so, and we do not have any supporting presentation information from Manitobans to define subsection i, ii and iii. So therefore I ask your support for this amendment.

Madam Chairperson: Any further questions?

Mr. Dewar: Just perhaps the member could answer a question. If we don't have—he says he does support the concept of regional representation regarding Manitoba's allotment of six senators, but how can you ensure that regional representation if you don't outline, as we—as the report has: three for Winnipeg, two for the south, one for the north? But how can you ensure there'll be regional representation if you don't, I think, provide some detail, as this report does?

Mr. Faurshou: Well, that's a very good question and one that I put on the table. Effectively, how can

we as a committee define the regions without asking Manitobans what they feel the regions should be? As if we are specific in our report without asking Manitobans that question, we are overstepping the parameters of our questions of the presenters and we really are not going in an area that we have no supporting information, and that is why I state to committee that the defined regions is a question all unto itself, and I believe we don't have the supporting background in order to specifically identify the three regions as the report is—as it is in the report before us.

Madam Chairperson: Thank you.

Are we ready for the question?

Some Honourable Members: Question.

Madam Chairperson: The question before the committee is as follows: the amendment—

An Honourable Member: Dismiss.

Madam Chairperson: Dismiss or dispense?

Some Honourable Members: Dispense.

Madam Chairperson: Shall the amendment pass?

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

Madam Chairperson: All those in favour of the amendment, just say aye.

Some Honourable Members: Aye.

Madam Chairperson: Those opposed, say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Nays have it. The amendment is defeated.

Mr. Lamoureux: Yes, Madam Chair, I would like to also move another amendment, and that would be that with the following—That the motion be amended by adding after November 9, 2009, "with the following amendment: that the words 'by the \$3 million spent' from section 2 on page 2 in the second paragraph be deleted."

Motion presented.

Madam Chairperson: The amendment is in order. The floor is open.

* (14:50)

Mr. Lamoureux: I think that we have to be careful in terms of what it is that we ultimately put in the report, whether we, some or all of us, agree to the report, there is some importance that it be factual, and one of the issues has been the cost. So, for example, we were provided, as a committee, back on February the 21st, 2009, an Alberta caucus of senators-elect committee, and on it, it states, Alberta's Senate election experience, the factual background. Now, no one has called this document into question, but a part of the document it states a number of different facts.

One of them is the cost of Alberta's three elections. Immediately below that headline, the below amounts were the additional costs of Senate selection. They exclude the cost of the concurrent provincial or municipal election in 2004 with the provincial general election, cost \$1.6 million. That's almost half of what it is that we are saying that it actually cost the Alberta taxpayer. It gives the impression that it's a lot more costly than what it might actually be, so I would suggest to you that it's a fairly innocent amendment that's been brought forward, and I would think that everyone would agree to make that amendment unless there's someone in the room that's prepared to say that this particular presenter, and it was presented to us, submission to—by Betty Unger and Link Byfield, Alberta senators-elect. They're the ones that provided the committee that information.

So, unless, you know, one of the documents is wrong. Either our document is wrong or the Alberta caucus of senators-elect is wrong, and I think that we should make sure that we're clear on that fact.

Madam Chairperson: Thank you. Seeing no further speakers, is the committee ready for the question?

An Honourable Member: Question.

Madam Chairperson: The amendment reads that the motion with—be amended by adding, after November 9th, 2009—

Some Honourable Members: Dispense.

Madam Chairperson: Dispense? Thank you.

Shall the amendment pass?

Some Honourable Members: Yes. Agreed.

An Honourable Member: No.

Voice Vote

Madam Chairperson: All those in favour of the amendment, please say aye.

Some Honourable Members: Aye.

Madam Chairperson: Those opposed, say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Nays have it.

* * *

Mr. Lamoureux: You know, it's—you know, the New Democrats are very easy with those "no" words it seems this afternoon, and I don't quite understand. Like, are we saying that the presentation that was given to us was wrong? Do we know what the actual cost is in Alberta? As a committee, do we have any real sense? In your report it says \$3 million. In this document, and I'll get maybe the page to bring it over to you, Madam Chair, and as long as I can get it back because I might be referring to it a little bit later, but she can bring it over to you.

It's pretty straightforward. That factual page says it only cost 1.6 million. In our report, we're saying it cost \$3 million. That's a significant difference. How do we justify—you know, like, I would like to hear from someone from within the New Democratic caucus saying that that report is wrong, that it is not \$1.6 million. I don't want to hear two weeks from now or three weeks from now, oops, we made a mistake. It should have been \$1.6 million. You know, like, it's either we've done our homework or we haven't done our homework and I would suggest to you, unless I get a response from the government, that we have not done our homework, and it just illustrates a number of other points that I hope to be raising, but I would ask for clarity.

Do—or you as the Chair—Madam Chair, do you know what the actual cost was for the provincial, or holding the Senate election in concurrence with the provincial election in Alberta? Our report says 3 million. This fact sheet from the senators in Alberta says 1.6 million. Do you know?

Madam Chairperson: My understanding was that 3 million was the cost.

Mr. Lamoureux: Can you indicate how it is you came to that understanding? Was there a phone call made to Elections Alberta? How do we know that to be the case?

Madam Chairperson: Given that it's been a while since I wrote this report, at this point, I can't give you an answer to that.

Mr. Dewar: Perhaps I can add something to the debate. I was just speaking with staff, and it's my understanding that the \$3 million was a quote from the official Alberta government Web site on this matter, and we're going to—we're seeking further information on that, and once we get it, we can provide it to the member. But that's where that number came from.

Mr. Lamoureux: Okay, and I'll, you know, take Mr. Dewar for his word, and I look forward to, you know, maybe if there can be a phone call made to Elections Alberta, the administrator, and find out what that actual amount was, because I think that before we adjourn today that we should make sure that it is, in fact, an accurate number.

Having said that, Madam Chair, I do want to move on. I do have another amendment so that—*[interjection]*

Yeah, so if I may, Madam Chair, I would move that the motion be amended by adding after November 9, 2009, "with the following amendment: that the word 'federal' be deleted from section 2 on page 2 in the first paragraph."

Motion presented.

Madam Chairperson: The amendment is in order. The floor is open.

Mr. Lamoureux: Madam Chair, I think this is really one of the if not the most significant point that the committee really needs to get a fairly good understanding of.

You see, if this motion was to pass, ultimately, it would be very difficult to have a Senate list of any sort be developed or put together in concurrence with a federal election. And that's really what it is that I'm hoping to be able to achieve on this, Madam Chair.

You see, I think that the committee does have options, and we need to explore those options as opposed to making a decision that's going to have a very long-term impact on the province of Manitoba.

I was here during the whole Meech Lake debates and the heated discussions. We had amazing information that was being provided to us. People were very passionate about the issue of Meech Lake, and even though, on the surface, the issue that seemed to surface the most was the Aboriginal

component to it, but next to that, what many Manitobans felt very passionate on was the Senate. They genuinely believed that we needed to see reform in the Senate, and, over the years, I have seen political parties participate in the need for change of the Senate, and, you know, for the first time, I was actually feeling fairly optimistic, personally, when Gary Doer indicated that he seemed to have—strike a chord with the current Prime Minister and felt that there was a window of opportunity for Manitoba to be able to engage and ultimately work towards changing the system, changing and participate in changing a federal institution.

* (15:00)

And, you know, I really believed that the all-party committee could really make a difference, that if we put our, you know, collective heads together and parties to the side that, ultimately, we could make the system better. And maybe it's because of my history in being very familiar with the Meech Lakes and the Charlottetown Accords, understanding the frustrations that Manitobans have with the Senate, that I believe that we shouldn't be taking this thing lightly.

And that's why, when you have the election, is it a federal? Should it be done at the provincial? Should it be done at the municipal? Or should it be a stand alone is really the critical issue. And what I'm suggesting through this amendment is that we recognize that the federal would be the least of the four, that the real preference for us is to look at ways in which we can incorporate an elected Senate that would best serve Manitobans.

And what I'd like to do is to give a bit of a—a bit of an example, and, you know, I had, like other committee members, had the opportunity after formal presentations to talk to presenters. Over the years, we've all developed opinions about the Senate, and I'm no exception to that. *[interjection]* Where?

I'm no exception to that, Madam Chair. I honestly believe that it is in Manitoba's best interest not to have it go concurrent with the federal election and that's what this amendment does, is it brings us forward in realizing that.

Why provincial? Well, I suggest to you that Manitoba and, you know, the Doer government has seen significant changes in terms of reliance. The government of Ottawa provides, every year, more and more money to the Province of Manitoba, and Manitoba is very dependent on those revenues, and I

would suggest to you that we have a vested interest as our dependency tends to grow in terms of the need for cash and programs coming from Ottawa. Our dependency grows and, at the same time, one could question in terms of our representation in Ottawa, and this is where I believe, ultimately, the Senate could have a very positive long-term impact, and why it is that what we do when we talk about the Senate is that we ensure that this body represents, amongst other things, provincial interests.

And so, if you want it to represent provincial interests, there are some things that you can do that would better enable us to be able to ensure that that takes place. For example—and we can talk about the two extremes, Madam Chair—we could say we don't want nothing to do with the Senate reform, and that's, in essence, what the New Democrats seem to be saying on the committee: We don't want nothing to do with Senate reform; pass it on to Ottawa. We, as a political entity, believe it should be abolished, and we're sticking to it. Whether it's in Manitoba's best interest or not, we're sticking to the simplicity of that particular policy.

That is a viable, I guess, argument that could be made. I would love to debate that particular argument in a public forum with any member of the New Democratic caucus. And to that extent, the best way to achieve that is to say we don't want anything to do with the responsibility of any type of reform. After all, we know what our actual position is and we'll masquerade it in some other form, but we don't really want any legitimate reform in the Senate, we want it abolished.

Well, then there is what I believe visionaries, individuals that understand and appreciate the role that a Senate—a reformed Senate could play that would be of great value and great benefit for the province of Manitoba. And the way in which senators get elected ultimately will have an impact on the way in which they represent. If you are a senator and you have to ultimately get elected during a federal election and you require a federal leader to sign your nomination party in order to be there, chances are you're going to be more of the party Ottawa-type person. If you're into having to go and get elected during a provincial election and you require a provincial entity to sign off for an endorsement of your political party, that will change the way in which you represent the province of Manitoba, and it is significantly different.

Now, as the New Democrats might choose to have a Ottawa-dominated Senate, a Senate that doesn't have the same interests that a senator would have if they were elected through a mandate of a provincial and municipal or a stand-alone election, I think that, you know, that we should, at least, at the very least be aware of that.

Madam Chairperson: Mr. Lamoureux, you have one minute.

Mr. Lamoureux: So my suggestion is is that let's go the other direction. Let's try to take it so that senators, by being elected at the provincial level or the municipal or the stand-alone election, will really and truly be more independent and in a better position in order to be able to represent the interests of Manitoba. And I would suggest to you, given economic and social times and going into the future, that Manitoba does have an interest in having that type of a Senate evolution as opposed to what seems to be being suggested from the New Democrats, Madam Chair.

And, you know, this is, I think, the second or third time where I've made reference to the New Democrats, and this is supposed to be an all-party committee, but—I, you know, I have not seen any evidence of that this afternoon because of the way in which, whether it's voting that has occurred on amendments or the fact that we get this report at 1:30 and we're expected to pass this report—

Madam Chairperson: Mr. Lamoureux, your time is up. If you could summarize, please.

Mr. Lamoureux: Well, Madam Chair, I will. The amendment would empower Manitobans to be able to vote in a provincial, municipal or a stand-alone election, and that's, I think, what it is that we would like to see as our preferred options, and that is reflective of what the public said during public presentations.

Madam Chairperson: Thank you.

Is the committee ready for the question?

Mr. Faurschou: Madam Chairperson, I know the amendment failed earlier on regarding section No. 5, but I'd like to ask the committee members, and yourself in particular, as to where in the presentations did we hear that the city of Winnipeg should be allocated three senatorial positions? Insofar as the—I could perhaps comprehend, as a

member of this committee, a statement of a capital region—

Madam Chairperson: Mr. Faurschou, I'm sorry to interrupt. The motion on the floor right now is Mr. Lamoureux's, and you're not speaking to the motion that Mr. Lamoureux has put forward.

*(15:10)

Mr. Lamoureux: Madam Chair, I'm wondering if I could ask committee members, and I've done this before, but I haven't really received any response from committee members. And the question is very simple, and that is, can you provide—any member provide the rationale that was used in bringing forward the recommendation that it be—that the federal—that it be held in conjunction with federal elections for our Senate list? I don't understand where that's coming from, and I would really appreciate any member opposite to be able to answer that question before we just vote on a motion that is critically important to all Manitobans. Like, surely to goodness it's worthy of some discussion, at least an explanation. Tell us why it has to be held by Elections Canada and in concurrence with the federal election. I think that we're owed an explanation.

You know, you spent, and I don't know what the total amount of money is that we spent, Madam Chair, but we spent tens of thousands of dollars as a committee going around saying that we want your input, we want your feedback, and it seems that we're completely discarding the feedback because one grouping on the committee has made the determination that it has to be held in conjunction with the federal election, but to make matters worse, they're not even telling us why. They're not telling us why it is that it's in Manitoba's best interest to have it during a federal election.

So, imagine, you know, we go to our constituencies and we say to our constituencies, well, you know, the report says that it be held in conjunction with the federal elections, and a question they might ask is, why federal? And our response would be, well, here's *Hansard*, there is no explanation. They have no idea as to why it is that it has to be in conjunction with the federal election. They haven't provided—nothing in public, public record, yet we spent how many thousands of dollars, not to mention the time and efforts of MLAs and the public, presenters, staff—and members are absolutely silent on rationale. Is there not any obligation whatsoever? If we're an all-party committee one would expect that there would be dialogue between

the committee members that go beyond just the Chair and one-on-ones, that there should be some sort of dialogue as to what's taken place.

I don't believe Gary Doer would've accepted this. I really don't. That's the reason why—

An Honourable Member: He's gone.

Mr. Lamoureux: That's the reason why, ultimately—remember we wanted to be able to pass, to pass this report. We wanted to pass the report before Gary Doer left for Washington, but now he's gone and we got a new leader and now we're at this impasse. Is not the same respect provided to the current leader? Or does the current leader say, I don't care about the Senate? You know, ram it through the committee, I don't care. Is there not any obligation on the current Premier (Mr. Selinger) to fulfil what it is that the former premier was wanting? The former premier said he wanted an all-party committee commitment to electoral reform of the Senate, and now we have—he's gone to Washington, and now we have a different leader and the government now is saying, here's the report, I got it a couple of hours ago and we're passing it through. No amendments, please. No amendments accepted. Here is the report.

This is the new leadership of the New Democratic Party, Madam Chair, and I think that it's wrong. I think that, at the very least, members that are sitting around this table, members have an obligation to tell the public of Manitoba what they are thinking or what their rationale is before we vote on this particular amendment.

You know, I don't even know, maybe, you know, maybe the new Premier is not even aware of this, you know. Has he been told that this committee was even going to be meeting? Has he seen this report, or did he get the two-hour notice—or not even a two-hour notice; when I sat down, that's when I saw the report. When I came in, sat at the table, here's the report. Did the Premier get any more notice than that? Maybe—in fairness, maybe, you know, maybe it's just some eager backbenchers that are wanting to see something happen, and it's gotta be their way or no way, you know, their way or the highway, that it's something that's just not going to happen, Madam Speaker.

I don't believe—and this is very important because this is going to reflect, you know, when we go back into the Chamber and future discussions and when we talk about all party—you know, we had a former premier, Gary Doer, who said—and I acted on

Mr. Doer's recommendation—he gave me the impression that he wanted an all-party consensus. And we're not gonna achieve an all-party consensus. Did you wait until he left for Washington before you were going to do this? You know, that's sure what it seems from a public perspective. You know, Doer's gone, call a committee, pass it through. That seems to be the approach of the government. It really, really does. And I think it's a poor reflection—it's a poor reflection on the current—on the current Premier (Mr. Selinger), if, in fact, that is—that is the case, you know.

And you know, that's why—and again, I'm gonna appeal to the members opposite to tell me why, to explain to the committee, to—better yet, as opposed to explaining to the committee, why not tell, through the committee—because it's all reported, it's all in *Hansard*—explain to the committee why it is that you, as a person, personally support the idea that the—the election of senators should be held in concurrence of federal elections. At least provide an explanation before you actually have a vote. If you can't even provide an explanation, what does that say? You know, and—you know, I will wait with bated breath as we see in terms of how the government—the government responds. It'll be interesting—it will be interesting to see how this new Premier deals with this issue.

You know, I think Manitobans are interested. I really do. You know, public presentations—we had excellent presenters that came forward from all regions of the province. They came here believing that there was a wonderful window of opportunity for change, and you know, the government seems to be determined to prevent that from happening, and I think that that's a mistake. And, you know, I could be wrong.

You know, I like to think that I do have an open mind. And if the government members could explain to me why, provide the rationale as to why, I would welcome the opportunity to listen and participate and engage in a discussion that, ultimately, it will be of benefit to all Manitobans, Madam Chair.

And that's the reason why, you know, I think that—and I shouldn't think—that I am encouraging government members of the committee to share with us their ideas. Don't be shy. Now's not a time to be shy. Share with us your ideas about Senate reform. Explain—*[interjection]*

Now, you see, there's the key. The member from Burrows said it: Abolish—or the member from Wolseley. I'm sorry.

An Honourable Member: Wolseley, Wolseley.

Mr. Lamoureux: The member—

Madam Chairperson: Order, please. Order.

Mr. Lamoureux: Madam Chair, you see, there it is. The member from Wolseley—*[interjection]*—talks about that hidden agenda—*[interjection]*

Madam Chairperson: Order, please.

Mr. Lamoureux: —and that is just abolish it; it's such a nuisance. We don't want nothing to do with it. Who cares if it's in Manitoba's best interest or not? We want nothing to do with it. Just abolish it. We gotta get rid of this new report—

Madam Chairperson: Mr. Lamoureux, you have one minute.

Mr. Lamoureux: Only one minute.

Madam Chair, you know, and that's—you know, it's because of Gary Doer that I gave the benefit of the doubt to the New Democrats. I honestly believed that they were sincere when they started to talk about Senate reform. I really did. And I think that, you know, the member from Wolseley now feels a whole lot braver because Mr. Doer's in Washington. Now he can express himself a little bit more. Maybe there's not as much party discipline—*[interjection]* I guess, under the new—*[interjection]*—under the new Premier.

Madam Chairperson: Order, please.

Mr. Lamoureux: But I ask the member from Wolseley, on the record, say what he just heckled across the table here, and then explain to me why it is that we should have the election for lists of senators based on a federal election, that it has to be held in concurrence with a federal election and Elections Canada has to administer it. Will—

* (15:20)

Madam Chairperson: Mr. Lamoureux, your time is up. Thank you.

Committee Substitutions

Madam Chairperson: I just would like to draw the attention of the committee that we have Mr. Altemeyer replacing Ms. Marcelino, and Mr. Martindale for Ms. Korzeniowski.

* * *

Madam Chairperson: And we have an amendment on the floor. The amendment that—*[interjection]*

Is the committee ready for the question?

An Honourable Member: Not really.

Madam Chairperson: Mr. Lamoureux.

Mr. Lamoureux: Madam Chair, I was—I was kind of hoping that we would have seen some sort of discussion on the issue. You know, I'm almost at a loss of words—*[interjection]*

I'm sorry—almost at a loss of words for why it is the government would not want to provide an explanation. And, you know, I look—I look to members, are we expected just to—or government members just expected to be here with their BlackBerries in hands, and you look across and there's three of the five with BlackBerries—*[interjection]*

Madam Chairperson: Order, please. Order.

Mr. Lamoureux: —with BlackBerries in hand, Madam Chair, and just abide by the party position of just pass the report; who cares what is being talked about; it doesn't really matter; it's insignificant; there's nothing that Conservatives or Liberals have to say that have any value to this whole process. So all we have to do is just say, pass, pass, pass, and, if there's any amendments, just say no, no, no to the amendments, unless, of course, it's a government amendment, no doubt, and I don't know if there's going to be any government amendments to it.

But, Madam Chair, I would suggest to you that's, you know, if I was in a gallery here observing what was taking place, I would be very disappointed if I was a constituent in government member ridings because ultimately, you know, they get elected to be able to represent the interests of their constituents.

You know, and I've had opportunity and—to chat with some people from Kirkfield Park and I can tell you, Madam Chair, that—*[interjection]*

Madam Chairperson: Order, please.

Mr. Lamoureux: —people in—people in Kirkfield Park want an MLA that will be more than just a backbencher. They want someone that's going to talk about what's important to the province of Manitoba.

Does the member from Kirkfield Park realize just how much money Ottawa gives the Province of Manitoba? Does the member from Kirkfield Park realize the amounts of programs that the—Ottawa provides to the Province of Manitoba? Does the member from Kirkfield Park realize the growing dependency that Manitoba has at—in getting things from Ottawa?

Well, I would suggest to you, Madam Chairperson, with all due respect, that given the importance of Ottawa to the province of Manitoba, both financially and socially, that there is an institution, and we know it as the House of Commons, our Parliament where there's two chambers. The Senate has the opportunity, if elected appropriately, to provide a great deal of value to each and every Manitoban, and the best way to derive that value is to—is to reform it. It needs to change.

I believe, if you were to canvass and sit down with the people of Manitoba, in part and which we have done through public meetings, but even if you took it to the next step and you had a kitchen talk and sat down and got a better understanding, I suspect you will find that a great majority of Manitobans would support, wholeheartedly, a reformed, elected Senate. And, if you were provided the opportunity—and, you know, the only one that really spoke up so far is the member from Wolseley, even though he didn't want to go on the record, even if we were to have that discussion inside the constituency of Wolseley, or go into Inkster, and we had some people kind of gather, I suspect that if we sat down and we explained the pros and the cons, you know, how important Ottawa and the money is to the Province of Manitoba, that ultimately, I believe, that the member from Wolseley could even be convinced that it's in Manitoba's best interest to have senators that put Manitoba first when it comes to dealing with transfer payments, equalization payments, programs and so forth. And the best way to ensure that Manitoba is first is, in fact, to look at the ways in which they get elected as a senator.

If you have to go to Ottawa during a federal election, as this report is suggesting—and my amendment is just a small part trying to rectify that particular problem—but if it has to go to Ottawa, think it through. We all know the process of

becoming an MLA or a Member of Parliament. You have to get a nomination, okay. So that means you have to organize in order to get nominated. Who are the members that you have to go to? Well, in this case, what the government is suggesting is that they should be federal members. You go out and you recruit federal members in order to support your cause. Now, there are many people within the province that will tell you that, I know I might be one political party at one level but another political party at another level, but that's a fairly complicated issue, so let's just say, let's just say that you get the nomination.

Mr. Vice-Chairperson in the Chair

Well, the moment you get the nomination, you're required, in order to get approval from the party. So we're saying our preference is—now when I say we, I'm not talking about—I'm talking about the New Democratic Party. The New Democratic Party's position is that once you get actually nominated, you want that nomination process to ultimately take you to Ottawa where it's, whether it's a federal leader or maybe the federal party. So you have to go and get their endorsement. You're saying to that party that I want to represent you in this Senate election, and in order to do that, I need the signature of the leader of that national party.

Well, Mr. Chair—Mr. Vice-Chair, I would suggest to you that they would be able to get that endorsement, that the national party would in fact fill that role. That's if in fact there was ever an agreement that we would have a national election to elect the senators in the provinces onto a list. I suspect personally that that won't happen, that it's going to be by increments that we're going to see the constitutional change that's necessary, but some members want to forgo Manitoba playing that role in those incremental changes.

Having said that, now you have a senator that receives a nomination. Now he's got to go to a federal leader in order to get the endorsement. Now, imagine if that senator-wannabe feels very strong on certain issues and the federal leader disagrees with that senator-elect, he can just refuse to sign the papers and even though it might be in Manitoba's best interests. You know, hypothetically, we could say, here is an icon in the province of Manitoba, and we want this person to be our senator because he can articulate and he can take strong positions. He can represent Manitoba's interests when it comes to equalization payments. We want this person and

Manitobans as a whole support this person. Well, all the federal leader would have to do is refuse to sign the paper. Then he'd have to go to, or he or she would have to go to another political party or run as an independent.

Well, that's, in essence, what it is that the government amenders are suggesting. Well, what about if it was provincial, if it was a provincial, during a provincial election that you, we were electing senators? Well, maybe then we could create the option where you could go to the provincial president or provincial leader or president if there is no leader of that political party—

Mr. Vice-Chairperson: Mr. Lamoureux, your time is one minute before your allotted time is up.

Mr. Lamoureux: Okay, thank you, Mr. Vice-Chair.

So they go to a provincial leader and we know and we all recognize this individual and we endorse because we want someone that's going to be on the back of government in Ottawa saying, we gotta protect equalization payments.

* (15:30)

You know, believe it or not, there are provinces, there are members of Parliament and senators that do not like equalization payments, that would like to see equalization payments marginalized. And, quite frankly, Mr. Vice-Chair, I believe that there wouldn't—you wouldn't get a senator elected in the province of Manitoba that wouldn't support equalization payments, that it would be political suicide for a leader of a political entity to endorse—

Mr. Vice-Chairperson: Mr. Lamoureux, your time is up.

Is the committee ready for the question?

Mr. Lamoureux: No, I still have maybe another question or so, Mr. Vice-Chair.

Mr. Vice-Chairperson: Proceed.

Mr. Lamoureux: But given there's no one else, I'll be more than happy to continue on, Mr. Chairperson.

Madam Chairperson in the Chair

Then if you take a look at it and you look at the province, so the provincial leader now looks at, here we have a candidate that wants to be able to ultimately represent—[interjection]

Madam Chairperson: Order, please, order, order.

Mr. Lamoureux: You have a leader who says that, you know, here we have a strong advocate, and I would suggest that you would have provincial leaders or parties—provincial parties that would be looking for strong advocates.

You know, if we had an election in the province of Manitoba, just like in Alberta, in which a provincial party had the responsibility to endorse local candidates that might have an interest in getting—put their names onto a list, I, for one, would get more engaged in the process, as I believe hundreds if not thousands of Manitobans would. And what I would be looking for, my first requirement, believe it or not, is going to be that of the national interest, followed by equalization payments, issues like health.

But let me focus on equalization payments, Madam Chair. You see, I know, given the resistance in the minds of many to equalization payments, as I say, there are—

Madam Chairperson: Mr. Lamoureux, can I remind you to stay within the relevance of what your amendment is, which is the word "federal."

Mr. Lamoureux: Absolutely, Madam Chair. You see, by taking out the federal, right, by taking out the federal that leaves it with provincial, municipal or stand alone. So what I'm talking about is, by having it provincial, this is the benefits, and that's what we're talking about, the benefits of it being provincial. So by taking out the federal we have it provincial. And again, really and truly, I do have an open mind on it.

An Honourable Member: No, you don't.

Mr. Lamoureux: You know, government—well, contrary to what the member from Wolseley says when he says, no, I don't, I do. It could be a stand alone. It could be a municipal. It could be a provincial. The only one that I would suggest it not be is the federal. And the government hasn't given me any response as to why they believe it should be the federal. So, of course, I'm going to argue what I believe my constituents would want me to argue.

So let's get back to the issue of the leader that ultimately has to endorse. So, as a province, if it's held in concurrence with a provincial election, I love the idea and welcome the idea that it could be a leader or a president of a political party that signs off for an endorsement for that party to appear on, ultimately, the ballot. And that being the case, I would welcome the opportunity to search high and

low for what I believe would be in Manitoba's best interest for a candidate.

And here is the difference. You have the provincial list—and, again, it doesn't have to be provincial, it could be municipal or independent, but you have that list versus the federal list and what impact—this is the impact it really has in a very real and tangible way. If it was provincial, I could go to someone, candidate X, and I could say to candidate X that Manitoba needs a strong advocate, someone that's going to fight for equalization payments. We are so dependent on equalization payments, more, virtually, than any other province in Canada. Now that might not be true, I think we're in the top three provinces in terms of need of equalization payments. So it's critically important that we as a province ensure that, if anything, equalization payments are on a—from a percentage point of view, is increasing, not decreasing, Madam Chair, and that's what I want my senator to fight for.

Well, if it's a provincial list, I have more of a vested interest believing that he or she will be able to advocate what it is that I'm talking about and what it is that he or she actually might believe because you don't have to worry about your strings being pulled in Ottawa. And the backbenchers in the government know full well about strings being pulled. You know, I don't want them and their hands to be tied much in the same fashion as those members. I want them to be free willing. I want them to be mavericks. I want them to be fighting and advocating higher equalization payments.

Imagine the next federal budget—not the federal, the next provincial budget that comes down, Madam Speaker, and you'll see the relevancy in this. The next provincial budget comes down; rumour has it that Manitoba's equalization payments might actually go down a little bit, right?

Well, we want—we want a Senate that is actually going to—at least our senators—that is going to emphasize the important—importance at the very least of maintaining those equalization payments because of the spending habits of this government. Any—you know, you cut back 10 percent, you're going into the hundred-million-plus dollars of a cutback to the Manitoba Treasury. Who's going to fight that cause for us in Ottawa on a day-in, day-out basis?

And that's why—you know, whenever I had people talk about, well, let's abolish the Senate, there's some that—not very many as close-minded as the member from Wolseley on the issue, but there

are a number of people that would advocate that you abolish the Senate, Madam Speaker. But once you point out the benefits of having a reformed Senate that is elected, that has the ability to actually be able to contribute to the long-term interests of a province, you'll find that a good number of them will, in fact, say, yes, I no longer support an abolished Senate; if I had a choice it should be reformed.

The core of the reform is how those senators get elected, and that's what this amendment is all about. It's—it strikes at the chord of how we elect senators, and the government's response has been lacking. You know, I try to explain in a few words how important it is and how much of a difference it could be made if it was done at the provincial level, or a municipal level, or a stand-alone election and the impact that that would have, Madam Chair.

But then, on the federal one, I don't see the benefits. The only argument that I can recall right offhand has been that of cost. That is the only—the only argument and, even if we believe the figures that were provided to us, which is in contradiction as to what the Alberta Senate caucus provides us, I would ultimately argue that \$3 million, yes, is a lot of money, and I don't question that.

Having said that, you know, we live in a wonderful country and we should appreciate our democratic institutions and, quite frankly, where we can improve them, let's do that, and if it costs a little extra money, then I think it's money well spent. There's a lot of other governments throughout the world that spend money a whole lot worse, and defining—better defining and providing better governance going into the future, I see that as a positive thing. That's why I didn't shy away from the commitment of being on this particular committee. As all members of the Legislative Assembly, I'm sure, time is the scarcest commodity that you have as an MLA, myself included. I realized that there was going to be a lot of travelling to go to these public committee meetings. *[interjection]* Some small airports, long highways, some in good condition; some still need a little bit of repair.

But you know what? I was prepared to make that sacrifice, Madam Chair, because I believed Gary Doer when he's told me that we're sincere and genuine on this issue, and that's why I was prepared to have whatever number of discussions on the issue—

Madam Chairperson: You have one minute, Mr. Lamoureux.

* (15:40)

Mr. Lamoureux: —and this amendment, I believe, if it was to pass, would show phenomenal good will from the government. It would show that they're listening to some—what Manitobans had to say and individuals such as myself and other members of this committee, in the sense of showing a sense of openness, that an all-party committee means all political parties get to actually participate in making the decisions. That's what it's supposed to—supposed to mean and, you know, all I'm really asking for, because then we could go on to the next one, is the explanation. Provide me the explanation. Tell me—tell me why it has to be during a federal concurrence—a federal election concurrence, you know. I think who this—who this reflects most negatively on, Madam Chair, is actually the current Premier (Mr. Selinger), and government members need to realize that we're talking about the current Premier and what it is and what sort of direction—

Madam Chairperson: Mr. Lamoureux, your time has expired. Thank you.

Is the committee ready for the question?

An Honourable Member: I have a question, Madam Chair.

Madam Chairperson: Mr. Lamoureux.

Mr. Lamoureux: Madam Chair, I'm wondering if members would respond to it. Like, do they have any comments on the issue?

Madam Chairperson: We have an amendment before us. Is the committee ready for the question?

Some Honourable Members: Question.

An Honourable Member: No.

Madam Chairperson: Mr. Lamoureux.

Mr. Lamoureux: Madam Chair, I, you know, I put up my hand with some reluctance because I look to the committee members. I've provided them the opportunity to be able to engage and to participate in any sort of dialogue whatsoever on this issue and I don't know why the government has chosen to ignore the issue. I would ask you as Chair, has the current Premier—because I know that you went through new leadership—has the current Premier been made aware of the content of this—of this report? Could you indicate that to the committee members?

Madam Chairperson: Our caucus was made aware of this committee report.

Mr. Lamoureux: So when was the caucus provided this report?

Madam Chairperson: We have an amendment on the floor, Mr. Lamoureux.

Mr. Lamoureux: The reason why I think it's relevant, Madam Chair, is that the amendment is taking out the federal component, and I think it's important that we know that this report, because I only just received the report, it's important that committee members be aware whether or not the Premier has taken any sort of a—of a position or if he was consulted at all in regards to the tabling of this—of this report? You know, government members are in a different position than I am because, yes, they have a caucus where I suspect the Premier sits at and, you know—*[interjection]*

Well, we don't—we don't know for sure. And I think there is—there is some value in terms of ensuring that the Premier is aware that we want this thing to be a federal—

Madam Chairperson: Mr. Lamoureux, I remind you of the relevance of the question. We have an amendment on the floor.

Mr. Lamoureux: I get this feeling, Madam Chair, that you're gonna constantly refer to the relevancy and, even though I would argue that it is—that it is relevant, you know, it is an important amendment. It really strikes to the chord of what it is that we're supposed to be doing, you know. We're supposed to be developing a list, a list of individuals that we could provide to the province, I mean to the Prime Minister, and if this amendment does not pass what we're doing is we're allowing for this bill or this report, we're allowing—we're not allowing, we're saying, no—that the Province will not provide the list. So we have the Prime Minister saying provide me a list, and we have an all-party committee saying we're not gonna provide you a list, and if we support this amendment, we're giving a flicker of hope for people that still might actually believe that there is an opportunity to effect change, even institutionalized change, and, you know, institutionalized change is not easy. We're not expecting that there's gonna be a constitutional debate that's going to invoke the changes that many of us would actually like to see regarding the Senate. There is a lot of people, including myself, that believe that it's gotta be

done in step by step as we proceed, Madam Deputy Speaker, and that's how I see this particular report.

I see this report as one step that will enable Manitoba—*[interjection]*—that we have—I kind of lost my thought there, Madam Chair. As one member had—*[interjection]*

Madam Chairperson: Order, please.

Mr. Lamoureux: Madam Chair, we were talking about the—we were talking in terms of—and I just need a moment here. A member had a very good thought that he was sharing with me—*[interjection]*

Madam Chairperson: Order, please. Order.

Mr. Lamoureux: —that would increase the opportunity for debate, and that really intrigued me quickly, Madam Chair. *[interjection]*

Madam Chairperson: Order, please.

Mr. Lamoureux: So my apologies to members.

Having said that, I do think that we need to recognize, I say, that core, and this is where I was getting to with my point. And that was that it's a stepping issue. This is a step towards ultimately achieving constitutional change, whenever that constitutional change might occur, whether it's six months from now, six years from now or 60 years from now, it's movement forward. And that's how we, in essence, saw the establishment of this committee and many members of the public, I believe, did not support an election be held in concurrence with the federal election.

And for that reason I believe that we are making a grave mistake that, if we do not pass this amendment, what, in essence, is going to happen is we follow through, and I might have to repeat a number of these points as we go through the report, Madam Chair. But, if we do not, or if we're consistent by defeating amendments of this nature, what we're really doing is we're conceding our role into future constitutional debates related to a valuable Senate reform. And that is something in which I, for one, cannot support.

Now, if the government is absolutely determined that it has to be held at the same time as a federal election, then I do believe that they should have to share the rationale that they're using for it; obviously, there had to be some rationale. Madam Chair, you said that the caucus received the report. If the caucus received the report, I would think that someone out

of 35 MLAs would say, well, why would we have it during a federal election and not a provincial election or a municipal election or a stand-alone election? Surely to goodness, one member out of that 35 or 34 would've raised that as an issue, and I suspect, as a courtesy, that individual would've been provided some sort of an answer. And that's really all I'm looking for, is an answer.

* (15:50)

You know, I move a motion. It takes me time to, you know—I have to—you know, a few minutes to actually read the final report. I was provided a few minutes, and then, right away, I find some issues that have to be amended, and a number of questions come to my mind. Well, surely to goodness, the collective of 34 MLAs, there's going to be some questions that would come out inside the caucus in regards to this issue. You know, you don't have to be a brain surgeon to—*[interjection]*

And someone points out, you would have to read it. I'll give the government members the benefit of the doubt and assume that they—at least a good number of them—have read it, or a good number of them actually have an interest in Senate reform.

You know, so to ask any member of the committee from the government benches to provide an explanation, provide us the same courtesy that would have been afforded members in your—in your own caucus, and if no one actually asked the question, well, accountability is a good thing. And I think that you have to be accountable to this committee. To walk in here believing that you're just going to get a rubber stamp on something that you have decided as a caucus—and, yes, there was some consultation that was done, and I do appreciate what consultation was done, but I had no idea that we were even close to coming up with something.

In fact, at the end of that September we were still talking—or not the end of September, the beginning of September—we were still talking about federal, municipal, provincial, stand-alone election possibilities. We were still talking about that. There was no indication, no, from the government back on September the 8th, or the 9th, or the 10th, or the 11th, those days that we were sitting, that the government was unwilling and it had to be a federal election or it's off. There was no indication of that at all.

You know, and I attributed that, in part, to the fact that there was still need to do some caucusing on it. I attributed that, in part, because Gary Doer was

wanting to see some changes, and that's why I was still somewhat optimistic. That's why I had suggested, well, you know, it's worth the while to defer the committee meetings even if it goes beyond the ending—the ending of the—of the past session. I didn't have a problem in terms of doing that because it was more important to achieve a consensus than it was to come with a split—a split report.

And, you know, the more that I talk about and the more that I think about it, I think that it's become a bigger issue dealing with the current premier and, you know, I would like to hear if the government—if the government members feel silenced on the issue that they can't provide an explanation to the committee as to why they cannot support this amendment. You know, I would like to hear, you know, from the Premier (Mr. Selinger) why it is. Manitobans have a right to know. I don't know why it is that you want to deny them that right. You know, do I have to be a caller and call CJOB when the Premier has his town hall conference? Is that the NDP, the new NDP way of dealing with accountability? You know—

Madam Chairperson: Mr. Lamoureux, you have one minute.

Mr. Lamoureux: —the idea of a government to ignore an all-party committee when there's legitimate issues that are being raised, and just figure, well, if I just say nothing and do nothing and just allow the report to be called and know what to vote and when to vote, when I'm being told to vote, and how to vote, and that's my only role, well, that's a sad state for an all-party committee, Madam Chair.

I think there needs to be more open dialogue on the issue, and this is a good place—as good as a place as any to ensure that that dialogue occurs, Madam Chair, and I think that we need to be concerned if, in fact, members opposite feel that it's just not necessary, that it's not warranted.

So, again, you know, I would ask that members reflect in terms of what's being said and allow for members to at least be given an answer to why it is that you want to vote one way or another—

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

Is the committee ready for the question?

An Honourable Member: Question.

Mr. Lamoureux: Madam Chair, you know, I have sat through many different committees, and when

there is amendments that are—that are brought forward, you will find that quite often, more often than not, now, it's possible I could be wrong, but I would suggest to you that, as a courtesy, generally speaking, you will find, especially in third readings, but in committees, too, you'll often see it, where amendments will be brought forward, and the first thing that happens when a government brings through an amendment, or opposition member brings through an amendment, is that you see support in the sense of an explanation.

The government will say, well, here's the amendment that I've—that I've brought forward and the reason for the amendment is this, and then they'll provide that explanation, and then quite often, in response to that, you'll get opposition either saying, oh, I support the amendment or I don't support the amendment, and if—in most cases I would suspect, that you'll—when an opposition member does not support an amendment, they'll provide an explanation. They'll tell you why it is that they think it's a bad—it's a bad amendment, and I think that's a good thing. Why? Because I think the minister has or should be aware of the concerns that an opposition member actually might have in bringing forward an amendment, and I look to the government in providing those explanations.

This amendment is no different. When opposition brings forward an amendment and, you know, I can recall right offhand, we had some amendments and Mr. Eichler would bring forward amendments and Ms. Wowchuk would respond to the amendments. She would say, here's why it is that we don't think that that amendment is appropriate. Now, I don't know how many amendments that Mr. Eichler had brought forward but I can tell you there was—there was a number of them, and the minister, if she didn't support them, would provide an explanation as to why it is that she felt that it wasn't worth supporting.

You know, the process is a very important one. This amendment is very significant. It has a huge impact on the way in which senators could potentially be elected, or, in our case, they won't get elected. I am very sceptical if this amendment does not pass, that the government's intent is first and foremost to continue to advocate abolishment, and if they can't abolish it, to let Ottawa deal with it and constitutional reform or just to hand the ball over to Ottawa and say, we want nothing to do with it. That's the reality of this particular amendment and why this amendment's important.

Well, Madam Chair, I've provided the rationale as to why it is that this amendment is important and, you know, I look to committee members to provide me the rationale as to why it is they believe this amendment is not important and that it—and that it shouldn't pass. And I think that as a member, it is a simple courtesy to ask for that explanation, and I would expect members opposite to comply and provide an explanation.

* (16:00)

Let me go further, Madam Chair. If you look at it from the point of view that this is an all-party committee, thereby implying that all parties are participating in the decision-making process, I would suggest that not only is it of—courteous to provide responses to questions, but I would suggest to you that it is morally the right thing to do, that there is an obligation, a moral obligation, to provide a response to the questions that are being posed. And if the government fails to provide that response—you see, there's a difference if you provide a response and we disagree on the response, and then I go across and I say, well, okay, in this way I'll have a minority report, and I'll say that, you know, from the Liberal Party's perspective, this is what we—this is what we think should happen, and the government has said no to it, but this is the reason why. So we agree to disagree. You know, that's one thing. It's another thing to do what they're currently doing and that is not to respond whatsoever, Madam Speaker.

Some might suggest it's in contempt of the committee. I think it's very serious, Madam Speaker. You know, when we go back—when we go back into session, I think that we have to evaluate what it is that the members of this committee have done or not have done in order to be able to facilitate passage of amendments or defeating amendments.

I would have thought, as a member of an all-party committee, at the very least I am owed an explanation, and, you know, I'll fight for that explanation. And until a government member says to me that we are not going to give you an explanation, I think it's probably in my best interest to continue to fight for that explanation, Madam Chair, because this resolution or this amendment I think goes beyond even the Senate. I think what we're getting very close to is the issue of contempt inside a committee, and it's because of the makeup of this committee. It is a special committee.

You know, we had—you know, this committee was struck by the premier of the province. It was the

premier that wanted the committee. It's the premier that provided assurances to all members of the Legislative Assembly, not just the government, that this was a legitimate process. And I suspect that as we continue to talk this afternoon and, hopefully, get some answers, that this committee could turn into an absolute farce, and the reason being is gonna be because of the government members and the current Leader of the New Democratic Party. Is this the instructions that's being given from that leader? Do we not have a responsibility to answer questions in all-party committees? Do I not have a role in terms of the decision-making process? You know, these are the types of things that I think are critical, of critical importance.

And, you know, having sat through hours and hours of debates—you know, I can remember Jay Cowan being around, and Jay, I think, spoke for 14 hours or eight hours, or some—

Madam Chairperson: You have a minute, Mr. Lamoureux.

Mr. Lamoureux: —huge amount of time. Pardon me?

Madam Chairperson: One minute.

Mr. Lamoureux: One minute.

Jay Cowan spoke for some huge length of period of time, and the issue was on final offer selection. Some members might recall that piece of legislation. But he stood and he talked about it because it was the principle. And I would suggest to you that Senate reform and this amendment, in particular, is just as important as what it is that Jay Cowan fought for back in, I think it was in 1989, 1990. I think it's critically important that we recognize what it is that we're actually here for, and I am disappointed that the committee members do not feel that this is a serious enough issue to be able to respond to.

You know, I have, over the last number of minutes, explained why it is that I think that we should be passing this motion, and I get the feeling, Madam Chair, that when I do stop talking about the motion, that the government—

Madam Chairperson: Your time is up, Mr. Lamoureux.

Is the committee ready for the question?

Some Honourable Members: Question.

Mr. Lamoureux: Madam Chair, what I'm thinking is is that the moment that the government—or the

moment that the question is called by the government, that they have full intentions of voting against the motion, and you know, I don't—I don't believe that that would be, in fact, appropriate, and I say that with all due respect for members of the committee.

You know, if individuals—if I was to vote on something and individuals were to ask for an explanation, generally speaking, I think I would—I would provide that. Here, I have brought forward an amendment that is very significant, that will have a long-term impact on the province of Manitoba, that could ultimately lead to Manitoba taking the issue of Senate reform to the next step, and that next step, Madam Speaker—or Madam Chair, is to ultimately see an elected, reformed Senate that provides value to the province of Manitoba. And it's difficult for me just to let it go, to say, I don't need an explanation, the government does not have a responsibility to provide me an explanation, it's okay for them just to shoot down my amendment. I have a difficult time with that.

I believe that the government does have a responsibility and is obligated to respect all committee members on this all-party committee with respect, and respect goes beyond just enabling us to be able to speak, and I appreciate the fact that members have been very good in terms of allowing me to share my frustrations and concerns, you know. As I say, I've had to witness hours of discussions and concerns from other members, and I've always respected that. I've always respected the fact that members should have the right to be able to do what is the right thing. And I would suggest to you that this is the right thing, Madam Chair, that we do need for us to look at the bigger picture in this particular amendment, because if we do not support this amendment, my fear is that the government will be consistent as we move through more additional amendments, going forward, that would try to put everything in a proper perspective with respect to how senators are being elected.

So if the government, true to form, continues to say nothing and is just anxious to vote in order to defeat the amendment, well, I would suggest to you, Madam Speaker, that—or Madam Chair, that this is all a charade that we're going through right now, because then the government has no—no intentions on supporting any amendments. And, you know, I might be more open to accept that if we were in a legislative committee and there was a bill that was being brought forward and—because we've seen this

in the past, where a government just says no, and many would argue that it's just because it's an opposition amendment and so forth, but there's a big difference here. The difference is that we're an all-party committee.

** (16:10)*

And, you know, I must admit that I feel—I feel a little bit slighted in the sense that I did not think it was appropriate to receive this report at 1:30 or 1:28 with the committee starting at 1:30. It would have been nice to have been better prepared in the sense of having the actual written report as presented today because then I would have had a better sense in terms of what it is the government was intending on doing. Prior to today, yes, there were some discussions, but I honestly had thought that we were still open up for having elections going concurrently with the province or with the municipalities or the stand alone. And to come and see that this is such a federally dominated document surprised me, and that's why the amendment is in fact necessary.

And, you know, I talk about the importance of the committee structure and how important it is that members from the past have acknowledged those committees and processes and courtesies and so forth. All I'm asking for is the—is the same courtesy, an explanation. You know, in their eagerness to defeat, apparently defeat the motion, I'm being denied the opportunity to have an explanation, and, you know, I represent, as other members, 20,000-plus people in Manitoba, and I believe that the public as a whole has a right to know in terms of what it is that the government is doing.

I can appreciate the Senate reform might not necessarily be the most exciting issue for a good number of people, but I can tell committee and committee members I do believe it's critically important. It's critically important because of the things that I articulated earlier in terms of issues like equalization payments. I didn't even touch transfer payments, Madam Chair. You know, equalization payments goes into the hundreds of millions of dollars.

Madam Chairperson: Relevance, Mr. Lamoureux.

Mr. Lamoureux: Yeah. And the relevance to it is that we want senators to be representing Manitoba's best interest, and the best way we can ensure that there—Manitoba's interests are gonna be represented, is to ensure that those senators are being elected in concurrence with either a provincial election,

municipal election or a stand-alone election. And this amendment will accommodate that. And that's why it's important, and that's why I have to explain why it is that we have senators that have that bias going to Ottawa. And to have that bias, ultimately, I believe, is in Manitoba's best interest.

I talked in terms of the equalization payments, made reference to the hundreds of millions of dollars. What I didn't make reference to is some of the other social programming. You know, most important social program that we—that we have in Manitoba is, many would argue, including myself, is that of health care.

Madam Chairperson: Mr. Lamoureux, relevance to the amendment, please.

Mr. Lamoureux: Yeah. What's important is the way in which we elect senators and this amendment will say that we cannot have senators elected in concurrence with a federal election. And why that is important is because we want to have senators that are, in fact, elected from the province, from the municipal or from stand-alone elections. And the reason why that is important is because senators elected at those levels will have a different bias, and that's an important thing to have because those biases will affect the decisions that are gonna be made in Ottawa, in Parliament.

Madam Chairperson: You've one minute.

Mr. Lamoureux: And that's why it is this amendment, I believe, ultimately deserves the attention of government, not just government members sitting around the table. You know, I'd be more than happy to see a vote come on this amendment if I can just get some sort of an explanation from the government why it is—why it is that they oppose it, and then we could—then we could go on, Madam Chair. But, for whatever reasons, the government doesn't feel that it owes Manitobans that explanation. And I think that it's only appropriate for me, as a member of the Legislature, to try to get the government to respond to what I believe Manitobans would want them to respond to. And to not respond, to put their heads in the sand and ignore the question that has been put to them, I think is—

Madam Chairperson: Your time has expired.

Committee Substitution

Madam Chairperson: As information, we have Ms. Allan replacing Mr. Altemeyer.

Madam Chairperson: And, with the leave of the committee, could we call for a five- or a 10-minute recess? I would like to meet with a couple of my colleagues at the table here. Leave of the committee to call a short recess? *[Agreed]* Thank you.

The committee recessed at 4:16 p.m.

The committee resumed at 4:44 p.m.

Madam Chairperson: Okay, I'm calling the committee back to order.

Mr. Eichler: Madam Chair, a point of order.

Point of Order

Madam Chairperson: State your point, Mr. Eichler.

Mr. Eichler: In regards to the legislation, could you clarify once the report is adopted by this committee and presented at the Leg Assembly by the Speaker, debate and any minority reports be debated at that time.

Madam Chairperson: Mr. Eichler, I will read from the act itself, and it's, if the Assembly, by resolution, approves the recommendations of the committee or approves them with alterations, the Speaker must send the Assembly resolution to the Queen's Privy Council for Canada.

So that will provide for debate and amendment to the bill—to the report, pardon me, in the House, when it goes to the House.

Mr. Eichler: Thank you, Madam Chair.

Mr. Lamoureux: Madam Chair, just for my own personal clarification, if the committee adopts the report, it then goes to the Legislative Chamber through the Speaker's office where it remains dormant until a Government House Leader or someone brings forward a motion to debate it, and, if that happens, we would like to see it, ideally, to be debated in the fall session. That would be—is that a correct assessment on my part?

Madam Chairperson: That would be the indication if there is a sitting in the fall. Yes.

We are still debating the amendment.

Is the committee ready for the question?

Some Honourable Members: Question.

Madam Chairperson: The question before the committee is as follows: That the motion be amended by adding after November the 9th, 2009—dispense?

An Honourable Member: Dispense.

Voice Vote

Madam Chairperson: All those in favour of the amendment, say aye—pardon me.

Some Honourable Members: Aye.

Madam Chairperson: All those—*[interjection]* Pardon me? All those opposed, say nay.

Some Honourable Members: Nay.

Madam Chairperson: In my opinion, the Nays have it. The amendment is accordingly defeated.

Madam Chairperson: The main motion—*[interjection]*

The motion has been moved by Mr. Dewar that this committee adopt the Report of the Special Committee on Senate Reform, dated November 9th, 2009, and provide the same to the Speaker of the Assembly.

Is the committee ready for the question?

Some Honourable Members: Question.

Madam Chairperson: Shall the motion pass?

Some Honourable Members: Pass.

Madam Chairperson: The motion is accordingly passed.

An Honourable Member: On division.

Madam Chairperson: On division.

Given that our report includes information on the proceedings of all the meetings of this committee, including today's meeting, is it the will of the committee to include in the final report document the outcome of today's meeting? *[Agreed]* Thank you.

The hour being 4:40—*[interjection]*

Mr. Doug Martindale (Burrows): Since it's my understanding this is the last meeting of this committee, I would like to thank the Clerks,

especially for their help when the committee was in rural Manitoba, and for all their assistance with all the public meetings, and thank the co-Chairs for their leadership and for the work of everybody who attended public hearings, especially, and thank everybody who had a hand in writing the report.
[interjection]

And, of course, we should thank the *Hansard* recorders 'cause they travelled with us as well. So, thanks to them too.

Mr. Faurschou: I do want to recognize the individual MLAs that represented the various constituencies where the committee met. They, indeed, made us feel very welcome and we did have opportunity to get a greater familiarity with the various constituencies around the province in courtesy of the respective MLAs, and I do want to make mention and to thank those MLAs very much.

Madam Chairperson: Thank you, and, as Chair, I do want to add my personal thanks to the Vice-Chair and to Mr. Lamoureux from the Liberal caucus, and it's been—as I say—it's been a full year that we have been doing this.

I'd also like to add my thanks to Greg Recksiedler, our researcher, for the report that he put together that helped us in dealing with the vast amounts of information.

And thank you to all of you in the committee, as well, for your service in this issue. So thank you very much.

The time being 4:49, what is the will of the committee?

Some Honourable Members: Committee rise.

Madam Chairperson: Rise.

COMMITTEE ROSE AT: 4:49 p.m.

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