

THIRD REPORT OF THE SPECIAL SENATE COMMITTEE ON SENATE
MODERNIZATION, AS AMENDED BY THE SENATE ON APRIL 4, 2017:

The Special Senate Committee on Senate Modernization has the honour to present its

THIRD REPORT

Your committee, which was authorized by the Senate on Friday, December 11, 2015, to consider methods to make the Senate more effective within the current constitutional framework, now reports as follows:

In its first report tabled on October 4, 2016, your committee examined Senate committees and now recommends the following:

That the Standing Committee on Rules, Procedures and the Rights of Parliament develop and propose to the Senate, by May 9, 2017, amendments to the Rules of the Senate to change the process for determining the composition of the Committee of Selection and the composition of each standing committee, using the process set out below as an initial basis for its work on the amendments, but also taking into account any other relevant factors identified by the Rules Committee. The committee members leave it to the procedural experts to craft appropriate language to give effect to the objectives of the committee and the principles underlying the objectives.

STEP 1:

1. The Committee of Selection shall be composed of 8 to 12 members.
2. The leaders, facilitators or conveners, as the case may be, of all recognized political parties, caucuses or groups shall meet and agree on the size and proportional composition of the Committee of Selection.
3. The size and proportional composition of the Committee of Selection shall be determined within five sitting days of the commencement of a new Parliament or session of Parliament.
4. The composition of the Committee of Selection must adhere to the following principles or requirements:
 - All caucuses or groups must have a minimum of one representative;
 - As closely as possible, membership on the Committee of Selection shall be in proportion to each caucus's or group's standing in the Senate;
 - The leaders, conveners or facilitators, as the case may be, of each political party, caucus or group in the Senate shall be non-voting *ex officio* members of the Committee of Selection.

STEP 2:

Each caucus or group shall select according to a process of its choosing the senator or senators from among their caucus or group who will occupy a seat or seats, as the case may be, on the Committee of Selection.

STEP 3:

The leaders, facilitators, or convenors of the two largest caucuses or groups in the Senate shall present a motion in the Senate setting out the size and the composition of the Committee of Selection based on the individual selections made by each caucus or group.

STEP 4:

1. The Committee of Selection shall determine the number of seats on each standing committee of the Senate to be allocated to the members of each caucus or group in proportion to that group's or caucus's standing in the Senate. For the purposes of overall proportionality on standing committees, senators not in a caucus or recognized group shall be considered collectively as a group.
2. Each caucus or group shall select its nominee or nominees for membership to each committee by a process of their choosing.

STEP 5:

The Committee of Selection shall allocate the positions of chair, vice chair and third member of the steering committee for each standing committee, to members of each caucus or group in proportion to that group's or caucus's standing in the Senate (though not to any individual senator in that group or caucus). In any allocation, the chair and vice chair positions shall not be occupied by senators who are members of the same caucus or grouping.

It should be noted that the historic practice has been that certain chairs of committees, such as the Committee on National Finance, have been allocated to senators who are not members of the party in government.

STEP 6:

The Committee of Selection after having completed the membership of each committee, and having allocated chair, vice chair and third member positions of a steering committee to each group or caucus (though not the individual senators who will occupy those positions), in accordance with the choices made by each caucus or group, shall present a report on the full membership of each committee to the Senate.

STEP 7:

Each standing committee shall meet to elect its chair, vice chair and third member of its steering committee in accordance with the report of the Committee of Selection on the allocation of such seats, by secret ballot if contested.

STEP 8:

If the foregoing selection/election process results in opposition or government caucuses not being represented on the Subcommittee on Agenda and Procedure of a committee, the leader(s) or designate of the unrepresented caucus(es) will become ex officio members(s) of that subcommittee when they are considering government legislation.

STEP 9:

The principle of proportionality shall also apply to the composition of subcommittees.

ONGOING

The Committee of Selection will continue to meet as necessary during the session to recommend to the Senate any changes in the committee framework or membership after consultations with each caucus or group.