

Harper to Fill Senate Vacancies

Prime Minister Stephen Harper has promised to appoint Conservatives to fill all remaining Senate vacancies before Christmas 2008. The prime minister had not been filling Senate seats as retiring senators vacated them. To do so would have contradicted the federal government's proposed legislation, designed to implement the Conservative Party's Senate-reform policy. This policy includes introducing provincial consultative elections to guide the prime minister in selecting senators, as well as 8-year term limits for Senate seats (Bills C-19 and C-20 [\[1\]](#)). Ontario, Quebec, New Brunswick, and Newfoundland and Labrador oppose the federal government's Senate reform agenda.

The party standings in the 105 member Senate include 58 Liberals, 20 Conservatives, 3 Progressive Conservatives, and 6 independents. Should Prime Minister Harper elect 18 Conservatives, the Liberal Party will continue to have a majority in the upper house. All of Alberta's 6 Senate seats are filled at this time.

Since taking office in early 2006, the prime minister has made just two Senate appointments. First, Michael Fortier was appointed in February 2006 to become Minister of Public Works and Government Services (and minister responsible for Montreal). Mr. Fortier resigned in September 2008 to run (unsuccessfully) for the Conservative Party in the October 2008 general election.

Second, Bert Brown was appointed in July 2007, after winning an Alberta Senate-nomination election on November 22, 2004. Mr. Brown is the second of only two senators -both from Alberta - ever to be appointed to the upper chamber after winning a provincial Senate-nomination election (the first was Stan Waters, appointed in June 1990 by Prime Minister Brian Mulroney, after an election was held in Alberta in October 1989).

Alberta's *Senatorial Selection Act* [\[2\]](#) received royal assent on August 18, 1989. Alberta remains the only province to enact a law facilitating elections to select Senate nominees for appointment to the Senate. Nevertheless, Saskatchewan may soon follow suit if its recent Bill 60, *The Senate Nominee Election Act*, introduced into the legislature on November 17, 2008, is passed.

Further reading:

Alexandra Bailey, "[Senate Reform Update](#)" *Centre for Constitutional Studies* (June 2008).

Martha Peden, "[Senate Reform Bills Stalled Again](#)" *Centre for Constitutional Studies* (June 2007).

Wendy Tso, "[The Canadian Senate: Past, Present and Future](#)" *Centre for Constitutional Studies*.

[1] Bill C-19, *An Act to amend the Constitution Act, 1867 (Senate tenure)*, and Bill C-20, *Senate Appointment Consultations Act* had been sent to committee after first reading in the House of Commons in the last session of the 39th Parliament, but were not passed before dissolution of Parliament in September 2008.

[2] R.S.A. 2000, c. S-5.