

Two Styles of Governing: Provincial and State Legislatures

The Canadian and American systems of government are both democracies with roots in the British parliamentary system. As well, both Canada and the United States chose the federal system, dividing power between regional and national governments, giving each its own areas of jurisdiction. In spite of their obvious similarities the two systems are quite different. For example, Canada is a constitutional monarchy while the United States is a republic.

The Person at the Top

Constitutionally, Her Majesty Queen Elizabeth II is the Queen of Canada and the head of state while the real power is held by the head of government (the Prime Minister at the federal level or the Premier at the provincial level) and cabinet. On the advice of the Prime Minister the Governor General appoints a Lieutenant Governor to represent the monarch in each province. The Lieutenant Governor typically gives royal assent to Bills, opens and closes sessions of the Legislature and accepts the Premier's resignation if the government is defeated in the Assembly. In rare and exceptional circumstances a Lieutenant Governor may invoke the reserve powers of withholding royal assent or reserving a Bill; however, these powers have not been used in over 50 years.



In the United States the head of state and head of government are one and the same. This is true at both the federal level (President) and state level (Governor). At the state level there is a Lieutenant Governor as well, but the person who fills this position is elected, presides over the state Senate and fills in for the Governor when he or she is absent.

The Legislatures

All provincial Canadian Legislatures are unicameral, meaning that there is only one body of elected representatives. In Alberta this body is called the Legislative Assembly.

In the United States all state Legislatures except Nebraska's are bicameral, meaning that the people elect two groups of representatives, a House of Representatives and a Senate.

Elections

In Canada some provinces have decided to set fixed election dates whereby a maximum term of office is specified. There is no minimum term of service as a term of government can be cut short at any time if a major government proposal is defeated. This is considered a vote of nonconfidence, which results in the fall of the government and an election call. Voters elect candidates in their own constituencies and do not directly elect their Premier. The leader of the party electing the most seats normally becomes the Premier.

In state Legislatures terms of office are fixed, and citizens elect the Governor and the Legislature separately. The whole state elects the Governor while Members of the Legislature are elected by their own districts. It is not unusual for the Governor to belong to a different political party from that of the majority of the Members of the House of Representatives or the Senate.

The Party System

Political parties play an important role in both provincial and state Legislatures. In the Canadian system the survival of the government depends on party unity. Party discipline prevents Members of the Assembly from publicly criticizing their party or voting against its policies or decisions. If enough government Members vote against a government proposal, it can be defeated. As mentioned above, the defeat of a major government proposal is a vote of nonconfidence.

In the American system the role of parties in the House is less obvious. Elected representatives frequently support their local interests at the expense of their party's overall policies, and the Governor does not necessarily control the Legislature even if the Governor's party has a majority of seats.

Powers of Government

The powers of democratic governments are divided among the executive, the legislative and the judicial branches. The executive branch administers existing laws and, through Cabinet Ministers, proposes new ones. The legislative branch approves laws by voting on them in an Assembly, and the judicial branch interprets the laws and applies them through the courts.

Provincial and state governments have organized these powers very differently. In Canada we have the principle of responsible government (see The Parliamentary System in Alberta), meaning that the cabinet's major proposals for laws and spending must have the approval of a majority in the Legislative Assembly. In addition, the Premier and Cabinet Ministers, or executive branch, are also Members of the Legislative Assembly, or legislative branch, and both the Premier and Cabinet Ministers may vote on the Bills they introduce. Therefore, parliamentary government features a concentration or fusion of powers.

In the United States the executive and legislative branches are completely separate, and this total separation of powers is what most distinguishes the American system from the Canadian. A state Governor is not a Member of the Legislature but is elected separately and appoints the cabinet, which does not include Members of the Legislature. The Governor provides leadership and initiates important laws, particularly the state budget, but does not vote on Bills in the House of Representatives or the Senate. Instead, when both Houses have passed a Bill, the Governor signs it into law.

Making Laws

In both provincial and state Legislatures ideas for new laws or changes to old ones are called Bills and come from the same sources: citizens, elected Members or special-interest groups and other organizations. However, Bills become law in very different ways in the two countries.

In Canadian Legislatures Members introduce Bills in the House at first reading. All Bills are introduced in complete form and read almost exactly the same as they would should they become the law of the province. Bills are then debated in three stages—second reading, Committee of the Whole and third reading—and must pass each stage to go on to the next. Passage is by a simple majority of Members present for the vote. Government Bills—Bills that receive the prior approval of cabinet—often pass with few, if any, amendments while Bills introduced by non-Cabinet Members have less chance of passing at all (see Making Alberta’s Laws). After passing third reading, Bills are granted royal assent by the Lieutenant Governor before officially becoming law.



In bicameral state Legislatures in the United States Bills may be introduced in the House of Representatives or the Senate. In some states representatives may introduce a Bill in skeleton form to see if the idea will fly before going to the trouble of drafting a complete Bill. Once introduced, Bills are referred to a committee that studies them, changing them where necessary to ensure their eventual passage or blocking further consideration. The committee reports its findings to the House or the Senate, depending on where the Bill originated, and successful Bills are considered there for some time before being put to a vote. Voting in state Legislatures is not necessarily along party lines, as it is in Canada, and often a Bill sponsored by a Member from the dominant party will not have enough support from that party to pass. State Legislatures also make no distinction between government Bills and private Members’ Bills; however, some Bills in some states must have a two-thirds majority to pass. Bills that pass one body then undergo the same process in the other. If Bills are successful, depending on the state, the Governor signs them into law or may veto all or parts of them.

The Provincial General Election

Canada's Constitution requires that provincial elections be held at least once every five years although almost every province now has fixed election dates set at every four years. A government that waits until the end of its legal term to call an election runs the risk of being forced to call one at a bad time politically, thus reducing its chances of winning. Conversely, governments that take advantage of favourable political winds by calling an election too soon—a snap election—risk criticism for wasting public money. Governments normally look for the happy combination of an upsurge of popularity at the polls and the winding down of their mandate to call an election.

Holding an election is a complex affair, beginning well before the Premier formally asks the Lieutenant Governor to dissolve the Legislature.

Constituencies

The difficult decisions surrounding an election are not all made by voters. One of these decisions is how to divide the province into voting districts, or constituencies, each of which has one MLA. Currently there are 87 constituencies, representing over 4 million Albertans. Constituency boundary lines change every few years and are normally determined by a special body called the Electoral Boundaries Commission.

The Electoral Boundaries Commission is made up of a chair appointed by the Lieutenant Governor in Council and four members (commissioners) appointed by the Speaker, two on the recommendation of the Premier and two on the recommendation of the Leader of the Official Opposition in consultation with the other opposition leaders. A boundaries commissioner must have a thorough knowledge of electoral law combined with an understanding of the needs and wishes of constituents.

The commission draws the boundaries mainly on the basis of population but also considers common community interests, the geographical area, natural boundaries such as rivers, political boundaries such as county lines and city limits and other factors. Its decisions are guided by a law called the *Electoral Boundaries Commission Act*. When the commission changes boundaries, the changes must become law before they can take effect.

Running an Election

The complex task of running a provincial general election belongs to Elections Alberta, the office of the Chief Electoral Officer. This office must do the following:

- Divide constituencies into polling districts
- Hire enumerators to count the voters and returning officers to count the votes

- Make sure voting is conducted according to the rules
- Take care of all election paperwork
- Issue the official election results

First Past the Post

In Canadian elections winners are chosen through the single-member plurality system, or first past the post. In other words, the candidate winning the most votes in a constituency is the winner even if he or she received less than 50 per cent of the popular vote, which is the total number of votes cast. Another voting system used by some democracies is proportional representation, in which parties win seats according to the percentage of the total votes cast in their favour. There are many countries using this system, including Germany, Switzerland and Ireland.

In the past only men who were landowners could vote. Women's right to vote was recognized in Alberta in 1916 while First Nations didn't receive the right to vote in Alberta until 1965.

Political Parties

When a group of people have similar ideas about the major issues affecting people in a democratic society, they may form a political party with the goal to elect some of their people to office, giving them a better chance of putting their ideas into practice. Joining a political party can be an effective way for you to influence parties and politicians because your voice will be heard when policies are being formed or reviewed. In an election campaign, on the other hand, candidates concentrate on promoting policies that are already largely in place.

Young adults can get involved by joining a party's youth association. Information on party youth associations or provincial political parties in general is available from individual party headquarters. Contacts can be located through the white pages, on the Internet or through social media.

Alberta's major political parties are the Progressive Conservatives, the Alberta Liberals, the New Democrats and a recent addition, the Wildrose Alliance. The Progressive Conservatives and the Alberta Liberals have their roots in the 19th century, while the New Democratic Party was born in the 20th century. Some of these same parties are prominent in federal politics and also in the politics of other provinces.

Political parties begin the work of choosing candidates long before an election. Each party tries to select, or nominate, one candidate to run in each constituency. Candidates who don't belong to a political party are called independents.