
Some Proposals to Revitalize Committee Proceedings in Quebec

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A number of legislators feel there is a need to revive the reform movement insofar as committee work is concerned. This stems from dissatisfaction with the role assigned to members in the work of the committees and the latitude left to them in the organization, progress and follow-up of orders of reference given committees by the Assembly or undertaken by them on their own initiative. The member for Matane, Matthias Rioux, spoke out on behalf of this movement in a letter sent on November 3, 1999 to the Speaker of the Quebec National Assembly. He expressed disappointment with the overall results of the parliamentary committees which, notwithstanding some occasional good work, are hindered in their efforts by a large number of regulatory constraints and excessive control by party caucuses. As a result of Mr. Rioux's initiative, Speaker Jean-Pierre Charbonneau called a meeting of all the chairmen and vice-chairmen of parliamentary committees a few weeks later to consider appropriate measures. It was resolved to form a group to review the work of committees. The group was instructed to prepare a report and to consider what changes might be made to improve the functioning and performance of committees. This article presents the conclusion and thirteen proposals for revitalizing committee work.

Some worthwhile progress has been achieved in recent years. The committees are on the right track having increased their independent activities and they are exercising more effectively their powers of initiative and surveillance. But this trend is still too recent and embryonic. In our opinion, it is still necessary to go further and to revive the spirit of the 1984 reforms. That is why we have formulated a number of proposals that are

designed to make committees even more interesting and stimulating places of work for the members.

1. Form a Grand Committee

If we want Parliament to again become the site *par excellence* for debating the major issues of the day, we must find a formula that differs from the ones we have come to know.

The members lack a forum where they can debate among themselves a major issue of interest to the whole of our society, with *esprit de corps* and without worrying about the "party line".

Committees now have difficulty debating such issues through the adoption of orders of reference. The particular question before a committee may frequently exceed its particular competence. Or the program of work as-

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signed to it leaves no time to debate an issue of such scope.

Yet there are a number of major issues of public interest that merit being debated each year by members of the Assembly apart from Government initiatives or concerns of the Opposition.

The idea we are advancing is to mobilize all the parliamentary committees each year to undertake, together, a vast order of reference in addition to their other independent activities, and which would lead in the fall to the holding of a special session in the National Assembly. The extraordinary nature of this procedure could arouse new interest among the members and attract media attention.

To ensure that the exercise is effective and credible, some amendments would be made to the *Standing Orders of the National Assembly*, to establish a procedure that would resemble the following:

- In February of each year, the Speaker of the National Assembly will call a conference of the chairmen and vice-chairmen of the standing committees.
- The conference of chairmen and vice-chairmen will determine the general theme, which will constitute a general order of reference for all committees during the year and be the subject of a special debate during a session of the Assembly in the course of the following autumn.
- A news conference chaired by the Speaker of the National Assembly, accompanied by the chairmen and vice-chairmen of the committees, will report the adopted theme and explain what the committees are going to do.
- Each steering committee will prepare a work plan and submit it to the committee for determination as to how and from what perspective it will carry out its order of reference.
- A conference of the chairmen and vice-chairmen will be called by the Speaker of the National Assembly to receive the sectoral themes and plan what comes next.
- The sectoral committees will conduct their proceedings – through a subcommittee where appropriate – and draft their report.
- A further conference of the chairmen and vice-chairmen will be called by the Speaker of the National Assembly to receive the sectoral reports and agree on the overall report.
- The overall report will be sent to each member of the Council of Ministers.
- Each minister concerned by the overall report will be required to reply within a reasonable period, fixed in advance.
- Each steering committee will prepare questions to be sent to the ministers in anticipation of the special debate in a full session of the Assembly.

- The questions will be sent to the ministers within a minimum period preceding the special session of the Assembly.
- In October of each year, the Speaker of the National Assembly will call a special session of the National Assembly to hold a plenary debate on the overall report of the committees.
- The Speaker of the National Assembly will lead the special session and allocate the speaking time to ensure that each committee has adequate time in which to describe the outcome of its proceedings and to hear the reactions of the ministers concerned.

2. Reduce the Presence of Ministers in Committee

The executive is omnipresent in our parliamentary proceedings. Ministers are usually summoned by any committee working in their area of activity. The opposition spokesmen, naturally wish to defend the views of the opposition. Thus the minister's presence means that the debate in committee is polarized between two individuals. We propose to increase the participation of other members by identifying some orders of reference where the presence of ministers would be inappropriate, and others in which it would be optional.

We are convinced that, other than in exceptional circumstances¹, the minister has no place as a member of a committee when the committee is conducting public consultations, irrespective of the origin of the order of reference. The minister should be heard at the outset of the public hearings, in order to describe the major features of his or her project, or to outline the government's policy thrust on the matter being examined by the committee. He should also be heard at the end of the public hearings, in order to share with the committee members the conclusions flowing from the hearings. As a general rule, the minister would therefore no longer be a member, but a witness before the committee. He would be a preferred witness, however, since he would have the liberty of opening and closing the deliberations.

We think this approach would clearly enhance the functions of all committee members, while easing the perception among some groups that they are deprived of access to the real decision-makers.

When a committee is examining a public bill of a technical nature², the minister would no longer be required to be present through the clause-by-clause consideration. A parliamentary assistant could provide, as needed, the link between the committee and the minister. The minister would be required to be present at the commencement of the committee and its conclusion, for the same reasons referred to previously.

We think that if this proposal is followed, the ministers will feel less inclined to be constantly present in commit-

tee and that the committee members will be more at ease freely debating bills.

3. Affirm the Independence of the Committee

In our experience, the systematic presence of the ministers in committee has resulted in interference by minister's offices, house leaders and whips in the most minor aspects of the organization, procedure and follow-up of meetings. Short-circuited by the political offices, the committees are not free to determine the resources they need in order to adequately ready themselves to carry out their orders of reference or to develop the appropriate conclusions and recommendations in the report on their proceedings.

The chairmen and vice-chairmen should seek to protect the independence of their committee by involving members in the decisions concerning the organization of proceedings. The committee or, by delegation, its steering committee should again become the place where decisions concerning the organization, procedure and follow-up of proceedings are made.

It is abnormal that the rule limiting the number of committees that may sit concurrently prevents the committees from holding a deliberative meeting to plan and organize their work or to follow up on it. Greater flexibility is required in this regard.

In May 1999, an agreement was reached among the parliamentary groups to eliminate certain constraints hindering travel by committee members when they wish to participate in a representation or training activity approved by the committee's steering committee and held outside the National Assembly building. The purpose of the proposal was essentially to remove such travel from the need for prior authorization of the Committee on National Assembly or its steering committee. This constraint, which complicates participation in symposiums and conferences, was perceived as a major irritant by the members of the committees and an undue interference of the House Leaders in the legitimate exercise of parliamentary autonomy.

Notwithstanding the agreement last spring, no amendment has been made to the standing orders in relation to travel by committees. This situation should be remedied at the earliest opportunity.

4. Free Up Time and Space

The agenda of the committees is dominated by the agenda of the Government House leader. Many orders of reference or surveillance must be postponed or rescheduled, if not cancelled, because of priority orders determined by the Government House leader.

The constraints on the number of committees that may sit concurrently and the number of rooms available compromise the planning and regular holding of committee meetings. But it is imperative that the National Assembly free up more time for this type of work.

We think the number of days scheduled on the parliamentary calendar and the overall number of members available to sit in the Assembly and in committees are sufficient to allow the maximum number of committees authorized to meet concurrently in or out of the session to be increased by one committee. This is especially so since the rules governing the composition of the committees and the quorum have been loosened, reducing the number of members who must be present in committee.

Indeed, if five committees were to end up sitting concurrently out of session, the maximum number of members concerned would be 50, out of a total of approximately 90 committee members. The minimum number in compliance with committee quorums would be 20 members.

However, to promote the exercise of the power of initiative and surveillance, the additional committee we are proposing could fulfill only orders derived from its own initiative, and not orders of the Assembly.

Since the National Assembly now has only four committee rooms at its disposal, a new room will eventually have to be arranged with all the necessary equipment and staff. We think the cost of this reorganization is justified in view of the increase in initiative and surveillance activities. Since the number of rooms is now sufficient to hold an additional committee during a session and since it is in such a period that the need is most acute, it would no doubt be wise to wait and see how the trend develops in an inter-session period before setting up a fifth room.

5. Use Specialized Subcommittees

To free up time and facilitate the concurrent accomplishment of a large number of activities, the committees would benefit greatly from using subcommittees more often. This has been possible since 1984, but the committees have not used it, either because the procedure for forming subcommittees is complicated – it requires a decision by a double majority – or through simple lack of knowledge of its existence. Some argue as well that they are uneasy about excluding certain members in the exercise of particular functions. However, the general committee rules apply to subcommittees: there is nothing to prevent replacements or the possibility of requesting consent to participate in the proceedings.

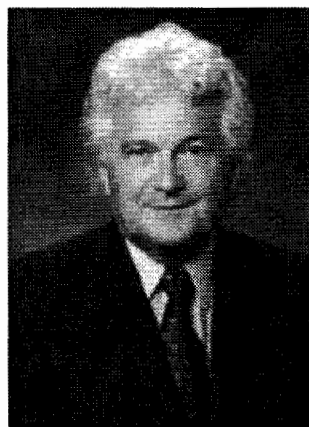
There are many advantages to using a subcommittee. It is a safety valve that allows a committee to pursue its priority proceedings without being overloaded with its



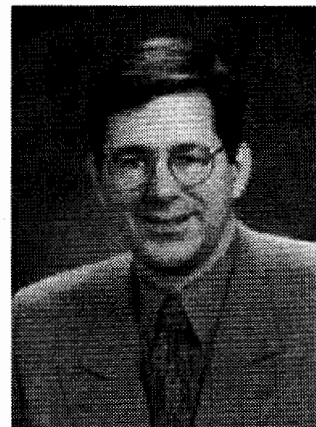
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other obligations. It promotes the participation of those members who are most affected by the order under consideration. Because they are fewer in number, the members of a subcommittee have an opportunity to conduct more detailed work.

Finally – and this is its greatest advantage, in our view – the subcommittee formula can be used to develop specialization among a small number of members in certain relatively technical functions. The experience of the Committee on Public Administration over the last three years has shown that specialization increases their participation and interest in the orders in question. Why not draw on this example for the implementation of recurrent and specialized parliamentary orders of surveillance?

We think the subcommittee formula should be systematically employed for certain parliamentary orders of surveillance, including the surveillance of public bodies, consideration of regulations and accountability of government ministries for their administrative management. However, to provide greater flexibility and promote the implementation of this type of order, the decision to form a subcommittee should be taken by a simple majority, and not according to the present double-majority rule.

This would mean that each committee would be asked to form three subcommittees, which would have a quasi-permanent character and would carry out their surveillance functions on a continuing basis. Constituted for the duration of a session, they would be required from time to time to report to the committee that constituted them. They could, for example, recommend, that the committee hold consultations on a problem they have identified in the course of their proceedings.

6. Give More Content to Consultations

The Standing Orders provide that when there is a general consultation the committee shall hold a deliberative meeting to determine, in light of the submissions received, whether it is appropriate to hold public hearings and, for this purpose, to choose such organizations and persons as it wishes to hear.³

The Standing Orders also provide that the committee may decide, in a deliberative meeting, to hold special consultations by inviting the views of persons and organizations that have expertise or experience specific to a field it is examining. The meeting shall determine the list of witnesses and the order and duration of the hearings.⁴

These procedures are not actually adhered to when a committee receives an order from the Assembly. In the case of a general consultation, the selection of witnesses is made by way of negotiations among the House Leaders, after consultation with the office of the responsible minister⁵ and the Opposition spokesperson (and the independent member if he is a member of the committee).

In practice, the final order of the hearings is established outside the framework of the committee and sent directly to the chairman, the vice-chairman and the clerk without any member being consulted. Usually, all of the groups that have sent a submission are heard, irrespective of the degree of repetition or redundancy that this may entail.

In the case of special consultations, the practice for several years has been that the list of witnesses to be heard is appended to the motion of referral prepared by the Government House leader and adopted by the Assembly. The motion even goes so far as to specify the order and duration of the hearings and their detailed schedule,

while authorizing the committee's steering committee to make the necessary arrangements in the event of scheduling conflicts.

For example, a committee that wished to add some groups to the list voted by the Assembly could do so only through an order of initiative, adopted by a double majority, and which would not have priority over the initial order.

The present practice has the advantage of being effective, since it is easier to reach an agreement with a limited number of decision-makers. It is also fair, since representatives of all the parties are usually involved in the decision.

However, it is illegitimate, because the members of the committee are excluded from the decision-making, although the suggestion to the broader community and the groups to be heard is that the committee has in fact exercised its power to select the witnesses and to organize the proceedings. In fact, this practice effectively negates the transfer of authority made in 1984 between the Government House leader and the standing committees.

Is there not some means of maintaining the effectiveness of the decision-making process while respecting the jurisdiction of members of the Assembly? We propose that the chairmen and vice-chairmen adopt a procedure that is more respectful of the committee members and the Standing Orders provisions.

In the case of general consultations, the steering committee of a committee that has received an order from the Assembly should have a synthesis of the submissions prepared as they are received and forward it to all committee members with the list of registered organizations. Should our recommendation that ministers be excluded from the public consultations not be adopted, it would be appropriate to require the minister, who is a member of a committee for the purpose of a public consultation, to supply its members with a synthesis of the submissions received. After all, since it is the minister who requests the consultation, and it is the Assembly that bears the costs of the consultation, the members should quite naturally have the necessary tools to do their work – particularly when the synthesis is prepared by the ministry officials and is available.

The steering committee might also ask the committee members to send it the names of groups or individuals to hear within the time limit it establishes (e.g. at least seven days before the date scheduled for the commencement of the hearings). The members might get ideas in this regard from the synthesis of submissions supplied to them.

On the basis of the committee members' suggestions, the chairman and vice-chairman might discuss and decide in the steering committee on the selection of witnesses and the order and duration of the hearings. The

steering committee would then communicate its decision to the committee members and House Leaders. Should an impasse develop in the steering committee, the chairman would convene a full meeting in accordance with the Standing Orders.

The Government House leader would then determine the calendar of public hearings on the basis of the selections made by the steering committee or the committee as a whole. The chairman would then convene the committee upon notice by the Government House leader.

The same procedure could apply to special consultations in so far as the National Assembly gives the committee the latitude to determine the list of witnesses, as the Standing Order provides.

This procedure is flexible enough not to prejudice the smooth running of the consultations. It requires no amendment to the present rules.

In addition, the persons and organizations who have been heard in committee expect that their testimony will be taken into consideration and that, if possible, it will have an impact on what follows.

Although they have had the authority to do so since 1984⁶ committees that have carried out orders for general or special consultations at the request of the Assembly do not as a general rule take a position on the issue they have examined through the adoption of conclusions or recommendations.

Some people think the period of one clear day given to any committee to agree on its conclusions and recommendations is too short. Others think it is the responsible minister's task to draw his or her own conclusions and determine the appropriate measures (bill, allocation of resources, etc.).

A survey carried out in 1994 by the *Secrétariat des commissions* indicates that groups which have participated in general and special consultations of committees of the National Assembly are for the most part sceptical as to the influence their contribution may have had on the decision-making process, although they consider the exercise useful.⁷ Some symposiums held recently on this issue indicate dissatisfaction among participants as to the follow-up given to public consultations.

Just as a committee should prepare a synthesis of the submissions received, it should also have a synthesis of its deliberations and include this in its report, not only out of respect for the groups it has heard but in order to leave a concrete record of its proceedings other than the simple transcript of the hearings.

From this perspective, and with a view to promoting the exercise of the committees' power of recommendation, the time given the committees in which to formulate their recommendations should be extended to 15 clear days.

7. Examine Draft Regulations during Clause-by-clause Consideration of Public Bills

For several years now, members have observed that bills implementing a new government initiative essentially consist of a statement of principles accompanied by general provisions. A bill usually includes a section authorizing the government to enact regulations for the application of the Act.

The Committee is of the opinion that a large number of bills are prepared in excessive haste and that the National Assembly does not take the necessary time to conduct an adequate assessment of their impact. Members should be able to monitor the process both before and after a bill is adopted and implemented.

Some members of the Assembly suggested some time ago that a bill not be adopted during the first quarter in which it was tabled, so as to give more time to members and the broader community to debate it and assess it on its merits.

While subscribing to this proposal, we think the members should also be involved in the preparation of the regulations resulting from the adoption of the bill. Indeed, in the review committee's opinion, members should have at their disposal all pertinent statutes and regulations so as to provide enlightened consent when enacting legislation – especially in view of the belief of most members that the real legislative authority lies in the capacity to flesh out the statute through regulations.

There is no reason to think that bills and regulations could not be drafted concurrently; in reality, this is generally the case and it should be in all circumstances, irrespective of whatever amendments may be made to a bill during its consideration in the Assembly.

Some people argue that when a bill is being considered by the Assembly, the minister will not always know whether regulations will be required later in order to specify the procedure for implementing the legislation. Not infrequently, therefore, the enabling authority in a bill is so vague and broad that it leaves substantial discretion to the government.

When the members agree to give the government an enabling authority, they should not simply give it a blank cheque. Committee members should scrutinize the nature and scope of the provisions empowering the government to enact regulations. And they should ascertain that the regulatory provisions under the Act are needed for the implementation of the legislation and are consistent in their language with the generally recognized criteria.

We recommend that the Act and the *Standing Orders of the National Assembly* be amended to provide that a bill cannot proceed through all stages of the legislative pro-

cess without a review in committee of the proposed regulations implementing the bill. This does not mean submitting a draft regulation for approval by the members, since that is a prerogative of the government. Rather, it means exercising genuine parliamentary surveillance of the delegated legislation by requiring that the minister and his officials who have prepared the draft regulation explain the scope and meaning of the delegated statutory powers and the way in which they will be exercised.

The committee members are aware that this imposes an additional constraint on the government and that the legislative process may be delayed as a result. However, they are convinced that this approach is needed in order to ensure valid parliamentary surveillance over delegated legislation. In our opinion, this type of constraint will in the end mean that the government will in future submit to the Assembly bills that are more complete and more developed, while allowing the members to exercise a bit more upstream surveillance over the preparation of major government reforms, as recommended by the Public Protector (Ombudsman).

8. Consider Existing Regulations

Although they have the authority to examine regulations and draft regulations on their own initiative, committees, as we noted earlier, have generally overlooked this function.

The adoption of the preceding recommendation would generalize the consideration of draft regulations. The committees would have to ensure that the regulations ultimately enacted by the government are essentially consistent with the version examined in committee prior to the adoption of the bill.

The multiplicity and complexity of government regulation have led a number of governments, including Quebec's, to attempt to simplify the relationship between government and citizens through embarking on a deregulation process. Why not involve members of the legislature in this process?

Clearly, the members have a duty to adequately supervise the government's exercise of its regulatory authority. The committees can no longer ignore this function.

The committee recommends that the National Assembly look to the experience of other parliamentary bodies in Canada and abroad for ideas on how to clarify the consideration of regulations and make this an effective form of monitoring. For example, the *Standing Orders of the House of Commons* set out 13 criteria as a basis for supervision of delegated legislation by the Joint Committee for the Scrutiny of Regulations. The Legislative Assembly of Ontario has identified nine criteria to serve as guidelines for the review of regulations in committee.⁸

Generally speaking, in the other parliaments this function has been assigned to a specialized parliamentary committee. In view of the previous recommendation, we think it is preferable that each committee develop some expertise in the review of regulations so as to be in a better position to assess the scope and impact of the bills that it has an obligation to consider clause-by-clause.

With the help of competent staff and adequate resources (such as, for example, access to a team of independent lawyers or the use of analytical grids and other relevant working tools, while relying as needed on the expertise of independent agencies), the committees could do some very useful work from the citizens' standpoint in identifying obsolescent, unreasonable or unnecessarily complex regulations.

To guarantee the effectiveness of this function, the committee also recommends that the National Assembly look to the present procedure for supervising public agencies: the committees should have an obligation to review at least one existing regulation annually.

9. Demand a Response From the Government to a Committee's Recommendations

Under the present rules, a committee report containing recommendations is considered by the Assembly within fifteen days of being tabled. The Government House leader determines the time when the two-hour debate in the Assembly will be held. No amendments to the report can be entertained, and no decision results from the Assembly's debate.⁹

As we suggested earlier, a committee that has made some recommendations addressed to a minister should invite him or her to participate in the limited debate on consideration of the report.

Although this suggestion is very attractive, it is by no means certain that the ministers will gracefully agree to commit themselves so quickly and publicly on the proposals made by a parliamentary committee.

The necessary parliamentary oversight requires that we go further. The tabling in the National Assembly of a report containing the recommendations of a parliamentary committee is not an insignificant act. It represents the legitimate expression of the opinion of the citizens' elected representatives, and should thus be given respect and consideration by the government.

In the committee's opinion, therefore, the government must have an obligation to reply formally to the report of a committee that contains recommendations when the committee so demands. Within this perspective, the review committee supports and adopts the proposal contained in the April 1998 parliamentary reform paper of the Speaker of the National Assembly.¹⁰

The Standing Orders should be amended to include a general rule that would require the government to respond within a prescribed period to a parliamentary committee report containing recommendations. The review committee considers that a 60-day period is reasonable. Where it involves a report containing recommendations pursuant to a consultation on a public bill, the period should be 15 days.

10. Reporting by Government Ministries

With the creation of the Committee on Public Administration, the administrative accountability of deputy ministers and chief executive officers of public bodies has become a part of everyday life. The formula has been so successful that the government has proposed to incorporate it in its proposed reform of the central government administration through Bill 82, the *Public Administration Act*, assented to on May 31, 2000.

The Act provides that government ministries and budget-funded bodies will be obliged to table in the National Assembly, through their responsible minister, an annual management report on the results achieved in relation to the objectives set out in their strategic plan and their annual expenditure management plan, which are likewise rendered mandatory by the Act.

The government bill stipulates that the competent parliamentary committee shall hear the deputy ministers and the chief executive officers, as well as the minister if he considers it appropriate, at least once a year in order to examine their administrative management.

The review committee is of the opinion that the Act's provisions will substantially increase the work of the National Assembly. It would be appropriate for a working group of the National Assembly to consider at an early opportunity the appropriate measures to cover the parliamentary aspects of its implementation. The *Standing Orders of the National Assembly* will clearly need to be amended to reflect the provisions of the Act.

In our view, the Committee on Public Administration cannot, by itself, fulfill all the requirements of the new legislation. To respond effectively to the objectives set down in section 29 of the Act, all committees will have to become involved.

The new legislation means that the committees must have sufficient resources to perform this new function. At present, the Committee on Public Administration works closely with the Auditor General in its accountability proceedings. Will the Auditor General be available for the other committees? Furthermore, the research necessitated by the Committee on Public Administration amounts to 1.5 person-years. The other committees will

have to be provided with a sufficient number of research staff.

11. Resources Available to the Committees

Parliamentary committees lack sufficient access to qualified and stable research staff to fulfill their present functions adequately. If, in addition, the parliamentary initiative and surveillance work is to be intensified and additional content is to be put into the committee reports, as we are proposing, further resources will have to be assigned to them.

In our view, each committee should, at a minimum, have a full-time accredited research officer in addition to a clerk.

The research officer would not only do the syntheses we are proposing for the public consultations, but would concretely support the committee members in the preparation of the committee's work in accordance with the priorities set by its steering committee. The researcher would also be required to brief the committee on various issues that could thereby serve to define possible initiative and surveillance orders.

For example, the research officer could perform the following duties:

- do research assignments at the request of the committee or its steering committee;
- provide the committee with briefing notes, documentation and media reviews on some topics selected by the steering committee;
- monitor and analyze draft regulations published in the *Gazette officielle*;
- draft quick-reference cards on the policies, activities and management of public bodies;
- analyze the annual management reports of the government ministries, public bodies and independent service units from the perspective of administrative accountability of the government administrators;
- do research and analysis concerning the recurrent orders of reference contained in certain Acts;
- monitor and analyze current developments within the committee's jurisdiction;
- participate in the drafting of committee briefing documents;
- synthesize submissions that are received;
- synthesize and analyze the views expressed in the course of public hearings;
- assist the committee in the formulation of its conclusions and recommendations; and
- participate in drafting the committee's reports.

We propose to introduce greater flexibility in the financial rules so the committees are not deprived of the financial resources they need to do their work, in light of the complexity of the decision-making process. We are also of the view that the House Leaders should not interfere in the financial autonomy of the parliamentary committees. If there must be supervision, we would prefer that it be exercised by the Speaker of the National Assembly, who is the guardian of the parliamentary rights and privileges.

Incidentally, it is the Speaker who is responsible by law for the preparation of the estimates approved by the Office of the National Assembly. In addition to being the chairman of the Office, the Speaker directs and administers the Assembly's departments. He is therefore the right person to assess the needs in human and financial resources of the committees and to ensure that the Office exercises its power of surveillance and control.

Consequently, the committee proposes to amend the rules to have the Office of the National Assembly allocate an overall budget for all committees, rather than a budget for each of them.

The committees might, in the context of an overall budget, make expenditures in accordance with their needs of up to \$25,000. Beyond that threshold, the Speaker's authorization would be necessary in order to allocate additional funds to a committee from the funding available in the overall budget. If these amounts were to be exhausted during a fiscal year, the Speaker could prepare supplementary estimates and submit them to the Office, as the present legislation and regulations provide.

The Speaker would be given a monthly statement of committees' expenditures by the Directorate of the Secrétariat des commissions, for the purpose of monitoring those expenditures.

12. Qualification and Compensation of Committee Members

The eleven major proposals made so far would result in a substantial increase in the work load of the committee members.

Members will need support in order to acquire and develop knowledge and skills in the area of parliamentary surveillance. Furthermore, because of the large number and diversity of the duties and activities performed by members in a year of work, they should be better informed about their role and the tools available to them. They should be regularly reminded of the powers and capacities of committees to fulfill their important function of surveillance of the acts of the government, its ministers and its agencies.

These objectives likewise apply to chairmen and vice-chairmen, who should update their knowledge of the du-

ties they perform not only by law as committee members but as organizers and coordinators of the proceedings and, in some instances, as referees of the debate.

From this perspective, we propose that the National Assembly organize and provide interested members and committee chairmen and vice-chairmen with a one-day update session on parliamentary knowledge and skills each year in the form of a "Lac-à-l'épaule" retreat or some other form of meeting that would focus on information sharing and situational reconstruction of typical committee experiences.

Finally, from the perspective of stimulating interest in their duties and encouraging them to put more effort into them along the lines expressed earlier, we think the remuneration paid to the members, chairmen and vice-chairmen of standing committees should be increased. In our view the members should be directly involved in the process of analyzing and determining the desirable level of compensation of committee members.

13. A Follow-up Committee

Throughout its review process, this working committee has sought to remain modest and realistic in its proposals, knowing how difficult and demanding it is to get an institution as big as the National Assembly to evolve, and how unpredictable the results can sometimes be. The idea was to come up with a better response to the needs of the Assembly's members, the expectations and new requirements of the community and the challenges facing us as we begin a new millennium.

In some cases our solutions to the problems we identified point toward unexplored areas; an example is the major parliamentary debate to be held annually in the form of the Grand Committee. Other leads could, in the long run, produce a real change in culture that could to some degree restore a balance among our institutions and alter external perceptions of the work of the Assembly.

The vast majority of the proposals we are making are simply an elementary application of the spirit and letter of the current provisions of the *Standing Orders of the National Assembly* as they have existed for over 16 years, and which should have been implemented in full from the beginning.

Overall, these proposals essentially mean loosening the reins somewhat in order to promote the work of initiative and surveillance by the Assembly through a reduction in the present constraints and irritants and through an increase in the resources placed at the disposal of the parliamentary committees.

It is our conviction that interested members are indeed available to serve in parliamentary committees. The

status quo is simply not acceptable any more, for it discourages the members from investing new energy in the committees.

It is noteworthy, from a rereading of the various reports – Forget (1977), Vaugeois (1982), Vaugeois-French (1983), Guay (1983) and Charbonneau (1998)¹¹ – that many of the problems identified over 20 years ago continue to exist in regard to the independence of the committees in the exercise of their initiative and surveillance powers. The review committee strongly hopes that this paper will help clear the way in the near future to a parliamentary reform that will allow the committees and their members to fully and usefully perform their duties.

That is why we are making a thirteenth and final proposal: that the Speaker of the National Assembly have the responsibility to bring together each year all of the committee chairmen and vice-chairmen, outside the framework of the Committee on the National Assembly, to discuss the best practices in committee and resolve the difficulties they encounter in carrying out their orders.

Notes

1. The exception could be signified by a motion of derogation from the general rule.
2. Taxation bills and bills that correct some minor aspects of current legislation are examples of orders of reference that would not necessitate the constant presence of the minister in committee.
3. *Standing Orders of the National Assembly*, sections 166 to 169.
4. *Standing Orders of the National Assembly*, sections 170 to 173.
5. It should be noted that the motion to refer a matter to committee, which is made by the Government House leader, usually provides that the minister is a member of the committee for the duration of the order.
6. *Standing Orders of the National Assembly*, section 176.
7. National Assembly, *La réforme parlementaire 10 ans après* (Secrétariat des commissions: March 1995), pp. 176-88.
8. See appendix to this report.
9. *Standing Orders of the National Assembly*, sections 94 and 95.
10. National Assembly of Québec, *Réforme parlementaire proposée par le Président de l'Assemblée nationale* (April 1998), Theme 6, page 7.
11. Forget, Claude, *Démocratiser le Parlement* (October 1977), 83 pages; Vaugeois, Denis, *L'Assemblée nationale en devenir: Pour un meilleur équilibre de nos constitutions* (January 28, 1982), 202 pages; Assemblée nationale, *Le contrôle parlementaire de la législation déléguée* (July 1983); Assemblée nationale, *Mémoire sur la réforme parlementaire présenté par le Président de l'Assemblée*, June 22, 1983.