

# Parliamentary reform

## SUMMARY OF **PROPOSALS**

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Jacques P. Dupuis  
Government House Leader  
Minister for the Reform of  
Democratic Institutions

Dear Fellow Citizens,

Dear Colleagues of the National Assembly,

In his opening speech of the current parliamentary session the Premier of Québec, Mr. Jean Charest, entrusted me with the duty of presenting a comprehensive plan for the reform of our democratic institutions.

The Government is now moving forward by submitting a parliamentary reform package comprising 140 proposed changes. This is only the first component of our comprehensive reform plan. It will be followed by a reform of the electoral system and an overhaul of the *Election Act* intended to favour the exercise of the right to vote.

The present document sets forth the highlights of the proposed parliamentary reform, which will profoundly transform the way the National Assembly conducts its business, the manner in which the elected Members go about their work, and the relationship between the executive and legislative powers. These proposals also aim to establish a more direct contact between the population and their elected representatives. In short, the main objective of this reform is to make the National Assembly a resolutely modern and open Parliament.

All Members of the National Assembly are urged to work together, regardless of their political allegiance, to redefine the foundations of parliamentary life in Québec. I invite all those who take an interest in the vitality of our democratic and parliamentary institutions to make their reactions known, to ask questions, and to propose whatever changes they deem useful and responsive to their concerns. For above all else the National Assembly is your Parliament.

A handwritten signature in dark ink, appearing to read 'Jacques P. Dupuis', written in a cursive style.

Jacques P. Dupuis

## Summary **OF PROPOSALS**

This parliamentary reform package, submitted to the Members of the National Assembly (MNAs) by the Government House Leader and Minister for the Reform of Democratic Institutions, Mr. Jacques P. Dupuis, is the first component of a comprehensive plan to reform our democratic institutions that the Premier, Mr. Jean Charest, announced in his opening speech for the spring of 2004.

The proposed reform is a major undertaking. It comprises 140 proposals that will bring about significant change both in the relationship between citizens and their elected representatives and in the way the National Assembly conducts its business. Indeed, this is the most ambitious initiative for parliamentary renewal in the past 20 years.

Many still perceive the National Assembly as an institution that is remote from the citizenry. This perception does not do justice to the work that parliamentarians actually accomplish. It nonetheless derives from many first- or second-hand experiences that warrant the proposed effort to correct our practices in order to help restore confidence in the institution that stands at the very centre of Quebecers' democratic life.

The proposals submitted by the Government House Leader and Minister for the Reform of Democratic Institutions pursue the following four objectives:

- An increase in the participation of citizens in parliamentary life.
- The enhancement of the role played by the Members.
- The modernization of the National Assembly's organization and proceedings.
- A redefinition of the relationship between the Executive and the Legislature.

### **ON INCREASED CITIZENS' PARTICIPATION**

Citizens have little opportunity to intervene directly in parliamentary proceedings. Members table petitions on their behalf in the Assembly. Groups and individuals who wish to present briefs during public consultations may do so, but they will be heard in person only if they are invited. It is not surprising that citizens feel excluded from what some call "the people's house." The present parliamentary reform aims to allow citizens to participate more fully in the exercise of democracy. Under these proposals:

- Citizens would be able to submit their own petitions to the Members. A subcommittee would receive these petitions and could hear the petitioners so that they might present their grievances to their elected representatives in person. The subcommittee would see to it that the Government replies to any petitions submitted within 30 days. Petitions could also be posted on the Internet in order to obtain citizens' support.
- The participation of citizens in the proceedings of parliamentary committees would be facilitated. Committees ought to travel in order to hear citizens in their own communities, and they ought to make greater use of new technologies such as videoconferencing to allow the participation of citizens who live in remote regions or who are unable to travel. Moreover, it would be possible for citizens to intervene in parliamentary committees without presenting a brief. A period of time would be set aside during which they could present their views on the subject under consideration. These interventions could also take place in the context of forums allowing freer exchanges between citizens and their elected representatives.

## **ON THE ENHANCEMENT OF THE ROLE PLAYED BY THE MEMBERS**

The Members are too often perceived as players whose individual influence is diminished by party discipline. Earlier parliamentary reforms sought to correct this perception. Unfortunately, it still persists, and one must acknowledge that it is not entirely false. Certain measures must be envisaged in order to restore a more important role to Members. Under these proposals:

- Party discipline would be relaxed through a procedure for the voting of bills comprising three categories. The Government House leader would indicate to the Members in the governing party upon the introduction of any bill whether they were free to vote as they wished, whether Cabinet ministers and their parliamentary assistants were required to observe ministerial solidarity, or, finally, whether all Members in the governing party were expected to vote for an agreed-upon position.
- The Members would be consulted regarding the appointment of the officers of the National Assembly (e.g., the Chief Electoral Officer and the Auditor General). Parliamentarians could submit to the Premier a list of candidates whom they considered qualified for the position to be filled. The Premier would then recommend his or her candidate to parliamentarians from among those included on this list.
- A period would be set aside for Statements by Members during each day's proceedings in the Assembly. Each statement would allow a Member to speak briefly to call attention to some event, to welcome a distinguished visitor, or to take up any other subject of his or her choosing.
- A period would also be devoted each day exclusively to the business of private Members (i.e., Members of the Assembly who do not sit in Cabinet). During this period Members could debate motions or bills intended to allow more substantial exchanges on subjects of their choice.
- The Members would be called upon to adopt a code of ethics and to create a position of independent Ethics Commissioner whose incumbent would report directly to the National Assembly and would be appointed by its Members.

## **ON THE MODERNIZATION OF THE NATIONAL ASSEMBLY**

Outside observers and the general public have severely criticized a number of aspects of the way the National Assembly conducts its proceedings. For example, it is difficult to understand why the Assembly passes bills in such haste in June and December while working to an intensive schedule that is scarcely conducive to rigorous deliberation. Furthermore, it is sometimes pointed out that the most serious parliamentary business is that which is done in committees. Yet a variety of constraints prevent the most efficacious possible use of these high points in the parliamentary proceedings. Nor does oral question period escape criticism. Some have noted that the televising of the debates has revealed an undisciplined side of the elected Members that ultimately tarnishes their image. As well, the sequence of the proceedings causes delays, with the result that hearings of groups or individuals by parliamentary committees must be postponed or cancelled. Finally, the rules governing the recognition of parliamentary groups must be revisited. In other words, changes are needed to correct the most inefficacious aspects of

the organization of the National Assembly's proceedings. Under these proposals:

- The parliamentary calendar would be modified so that the Assembly would sit from mid-February to mid-June and from mid-September to mid-December. The extended hours of meeting in effect during certain periods of the year would be abolished.
- The procedure for questions and answers period would be amended to limit the possibility for overly partisan exchanges and abuses of procedure. The length of questions and answers would be set at 55 seconds for the Leader of the Official Opposition and the Premier and at 35 seconds for everyone else. Points of order would be deferred until the end of questions and answers period.
- A party must currently have twelve (12) elected Members or obtain 20% of the popular vote to be recognized as a parliamentary group. These criteria seem too strict, for they do not accurately reflect the popular support that certain political parties may receive. Accordingly, they should be revised. The number of elected representatives required would be reduced to six (6), and the percentage of votes to be obtained would be set at 15%.

## **ON THE REDEFINITION OF THE RELATIONSHIP BETWEEN THE NATIONAL ASSEMBLY AND THE GOVERNMENT**

In principle, the Members pass our laws, which are administered by the Government and the Administration. In principle, furthermore, the Government is answerable to the National Assembly and must enjoy the confidence of a majority of the elected representatives. In practice, however, the Government exercises such a firm control over the parliamentary proceedings that some believe it contributes to lowering the esteem in which the National Assembly is held, regardless of the political party in power. Thus, the Government decides which bills will be considered and passed; it can even suspend the application of the rules so as to force the passage of bills. The information that the Government provides parliamentarians and the public, both when bills are introduced and when they are considered, is minimal. The surveillance that the elected representatives exercise over Government spending and priorities is inadequate. In short, the relationship between the National Assembly and the Government is unbalanced in the Government's favour. A redefinition of this relationship is thus required in order to restore to all the elected representatives the role they ought to play as legislators and as controllers of Government activity. Under these proposals:

- The mechanisms for expressing the confidence of the Assembly in the Government would be revised. Parliamentarians would be called upon to vote on the general policies of the Government announced in the opening speech. It would be necessary as well to clarify the consequences of adopting a want of confidence motion or of refusing to pass a bill. To that end, when a want

of confidence motion has been adopted or a bill has been negatived, a motion of confidence would automatically be placed on the Order Paper (an official publication listing the matters before the Assembly) for debate. The outcome of the vote would make clear to all that while the Members may have rejected a particular measure put forward by the Government, they have done so without withdrawing their confidence in it.

- Government bills and private Members' bills, when introduced, would be accompanied by more comprehensive explanatory documents so as to better inform the Assembly and the general public about their orientations, intended effects, and possible costs.
- Except as otherwise provided, a bill introduced during one sessional period would not be passed until the following sessional period. For example, a bill introduced in the spring would be passed only after the resumption of proceedings in the fall. Moreover, the Government would be able to resort to the suspension of rules (the gag) to speed up the passage of only one bill at a time.
- Ministers should not take part in the clause-by-clause consideration of bills as members of parliamentary committees. Instead they should appear at the witness table to defend their bills; they would be entitled to move amendments but not to vote. Ministers would, however, continue to participate in their capacity as parliamentarians during public consultations on bills or other matters falling under their ministerial purview.
- The process of accountability for and control over the Government's spending and budgetary orientations would be reviewed to ensure more cohesion in the parliamentary proceedings.

## **PROCESS LEADING TO THE ADOPTION OF THE PARLIAMENTARY REFORM**

It is customary for amendments to the rules for the conduct of proceedings in the National Assembly to be made only with the consent of all its Members. That is why the Government House Leader and Minister for the Reform of Democratic Institutions is submitting this reform package to parliamentarians. All Members of the National Assembly are invited to enrich this debate and to work together, regardless of their political allegiance, to redefine the foundations of parliamentary life in Québec.

Interested citizens can express their points of view, ask questions, and submit proposals by getting in touch with their MNA or by communicating with the Minister. They will also have an opportunity to comment on these matters during the public consultation planned for this fall to examine the modifications proposed to the electoral system.

The changes proposed here are major. If adopted, they would bring about a profound transformation in the relationship between the elected Members and the population, in the conduct of the National Assembly's proceedings, in the way parliamentarians work, and in the relationship between the Government and the elected representatives. Finally, the Minister is proposing a permanent mechanism for the review of the rules for the conduct of proceedings so that the institution of Parliament may remain more sensitive to the need to adapt itself continually without awaiting manifestations of disillusionment or loss of trust on the part of the population in order to act.

For information, please contact your  
Member of the National Assembly:

- by ordinary mail:

Hôtel du Parlement  
Québec (Québec) G1A 1A4

- by e-mail, using the list of the Members' addresses on the National Assembly's Web site at: <http://www.assnat.qc.ca>

You may also get in touch with the  
Government House Leader and Minister  
for the Reform of Democratic Institutions:

- by ordinary mail:

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Minister for the Reform of Democratic Institutions  
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Finally, you may consult the Web site  
of the Secrétariat à la réforme des institutions  
démocratiques at: [www.mce.gouv.qc.ca/srid](http://www.mce.gouv.qc.ca/srid)