



NATIONAL
DEMOCRATIC
INSTITUTE
FOR INTERNATIONAL AFFAIRS

Economics Committee Retreat

*A Two-Day Retreat Organized for
Members of the Economics Committee,
Palestinian Legislative Council*

*Jericho
November 8-9, 1997*

Economics Committee Retreat

A National Democratic Institute for International Affairs Workshop

Jericho
November 8-9, 1997

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EXECUTIVE SUMMARY

On November 8 and 9 1997, NDI hosted a retreat in Jericho for members of the Economics Committee of the Palestinian Legislative Council. The purpose of the retreat was to discuss the legislative, oversight and outreach functions of the committee, and to work with the committee on developing a short-term work plan. This document summarizes the main points of the retreat and includes notes on the discussions.

In March 1997, the start of the Palestinian Legislative Council's (PLC) second legislative session, began meeting in plenary four days every other week, allowing committees to conduct meetings during the off-weeks. At the same time, the Economics Committee became the first (and, to date, only) committee to open its meetings to the public. Committees are significant institutions within the PLC; they meet regularly, the chairs are engaged in the issues, and significant time is spent in the Council meetings addressing committee reports.

The agenda for the retreat was organized to address the following questions:

- What is the role and function of legislative committees in parliaments?
- What are proper parliamentary procedures for committee meetings?
- How are short and long-term committee work plans developed?
- How are public hearings organized?

Several challenges with committee organization that NDI noticed at Economics Committee meetings and consultations with the chairman, were addressed at the retreat, including: the haphazard scheduling of committee meetings, and problems of attendance (sometimes relating to travel restrictions); time wasted on developing and adopting meeting agendas rather than focusing on the substantive issues; a strong committee focus on handling constituent complaints rather than on larger, policy issues; underutilization of committee staff; and the absence of sound parliamentary procedures in committee meetings.

NDI also focused on the role of a committee in the legislative process, such as the review of draft legislation, encouraging public input, and the role of the staff and outside experts in this process. The group spent significant time clarifying the process of draft legislation -- one that is not entirely clear in the Standing Orders, nor followed systematically in practice. The committee developed a realistic short-term work plan on the second day of the retreat. The work plan that was developed for the committee during the retreat included the specific legislation pending committee review and the estimated time entailed for each step of this process.

The retreat also covered how to organize a public hearing, how to set a committee agenda, and how to maintain parliamentary procedures in committee meetings, and how to address attendance issues.

Listed below are NDI's recommendations for enhancing the legislative role of the Economics Committee. These recommendations may also be adopted by the other Council committees.

General recommendations

- In all areas of committee work, staff should be used to their fullest capacity, particularly in the areas of conducting research, communicating with relevant ministries, liaising with relevant non-government organizations, and the media. For this to occur, the administrative structure of the Council must be evaluated, and job descriptions should be provided to Council staff.
- All committee meetings and hearings must be documented, especially all decisions made at these meetings. Good documentation is critical both for the current operation of the Council as well as for historical purposes.

In the area of legislative review

- The jurisdiction of the Council's committees needs to be enhanced, to enable them to play a stronger, more primary role in the legislative review process. Both the premise and policy content of bills should be generated within the committee, guiding legislation from beginning to end.

In relations with the executive (oversight, policy development)

- Committees can develop strong, transparent relations with the Executive by receiving relevant legislation from ministries, and communicating regularly on policy and the budget with the working with the ministries.
- To affect the government's policy direction, more comprehensive information, must be sought by committee members.
- Committees need to strategize (and sometimes compromise) with government ministers.

In encouraging public participation in the policy-making process

- The public needs to know when and how they can be involved in the decision-making process. The public must understand the legislative system and trust its uniformity.
- Committees must be *proactive* in garnering public opinion on legislation.

Evaluation

Members responded very positively to the retreat, as indicated on the written evaluation forms that were completed by participants. In particular, Members appreciated the specific focus on their committee's work and the detailed planning session and calendar that were developed on the second day of the retreat. Members also found the written materials on committee procedures, sample agendas and the role of a committee chairman useful. Many recommended that similar work be undertaken with other committees.

BACKGROUND

This retreat follows previous work undertaken by NDI to support the Council, which included an assessment and report on the first two months of the Council's operations, and a workshop held in May, 1996, on constitutional issues raised in the draft Basic Law. This retreat was part of an 18-month legislative development project funded by the United States Agency for International Development. NDI's program is designed to provide technical assistance on different components of legislative development, including the role of committees, legislative-executive relations, constituency relations, and plenary procedures. These topics were addressed through a series of workshops, materials, and study missions to foreign legislatures, as well as ongoing consultations. Comparative materials were distributed in Arabic to Council members during these workshops, and were also provided in response to specific requests from PLC members.

NDI conducted a workshop on "The Role of Committees" on December 14 -15, 1996, with the chairpersons and rapporteurs of the PLC committees. As committees play a pivotal role in the functioning of any democratic legislature, the PLC members were encouraged by the international panelists at the workshop to make their committee meetings transparent and open to the public. According to the Standing Orders of the Council, PLC committees meet *in camera* unless the committee votes to open their meetings to the public. At the first meeting of the Economics Committee following the workshop, the committee voted to hold open meetings.

This workshop succeeded in helping PLC committee chairmen shift the role of committees. Previously, they were mostly handling constituent complaints (better handled by individual members and constituency offices). Now, committees play a greater role in the legislative process.

NDI staff approached the then- chair of the Economics Committee, Mr. Hikmat Zaid, with a proposal to work with the committee as a pilot project. The goal would be to reinforce ideas raised in the December workshop; namely, the role of a committee in law-making, executive oversight, and encouraging public participation in the policy making process. Specifically, NDI proposed to attend the committee meetings and offer advice and guidance on procedural matters where appropriate. Mr. Zaid welcomed the proposal and in the next committee meeting, committee members concurred with his response [this offer was made to the Economic Committee in accordance with a policy decision by NDI that, unless a committee was open also to Palestinian citizens, NDI staff would not attend].

NDI staff attended many committee meetings as well as a hearing held with businessmen. The Chair and rapporteur changed as a result of elections at the beginning of the second period of the Council. NDI continued consultations with the second chairman, Mr. Fakri Turkman. Ongoing informal consultations with the chairmen, committee clerks and members of other committees also occurred.

NDI's observations of the Economics Committee, as well as reports on how other committees operate, indicate that there are many organizational issues to be addressed regarding committee work:

- Committee meetings were held on a haphazard basis, sometimes due to fluctuations in schedule and sometimes due to matters beyond their control such as border closures, which prevent members from traveling between Gaza and the West Bank to attend meetings;
- Significant time during meetings was wasted in discussing and adopting the agenda;
- Time was also wasted in dealing with *individual* complaints from constituents that had no overriding policy implications and therefore should be dealt with at the constituency level;
- Committee members felt that it was their responsibility to research issues, and organize and write reports, a function delegated to staff in other legislatures;
- Members had no experience in making decisions according to standard parliamentary procedures, i.e. through motions and amendments to motions. Consequently, issues would be discussed, a variety of suggestions made, but no decisions were taken and recorded;
- Members were unaware of when and what legislation would be referred to the committee in the coming session, thereby preventing them from allocating committee time efficiently, and completely hindering their capacity to develop short and long-term work plans.

The Committee did endeavor to encourage participation from the business community in the Ramallah area by inviting representatives to comment on a list of issues relating to trade and investment policy. However, it was apparent that none of the Committee Members, committee staff, the staff of the ministries present, nor the business people themselves had experience which would enable them to make the most effective use of this forum. After the hearing, NDI staff consulted with the chair and the clerk of the Committee to offer suggestions on areas for improvement. Both welcomed the advice given and acknowledged that more expertise was required to make such hearings more fruitful in the future.

NDI suggested to Chairman Turkman that NDI organize a "retreat" with the Committee members in an informal, focused setting to discuss how to improve the efficiency of committee

meetings. The agenda of the two-day session would include parliamentary procedures for committee meetings; methods of interacting with the executive; organizing public hearings; and developing short-and-long term work plans for the committee's legislative and oversight responsibilities.

This suggestion was adopted by the committee and NDI conducted the "retreat" as proposed. Seven of the nine members of the committee attended, as well as one of the two committee clerks. The program was led by and the discussion moderated by PLC program director, Myrna Phillips, former speaker of the Manitoba Legislature.

CONCLUSION

The two-day retreat with the Economics Committee afforded the unique opportunity for the members to discuss among themselves and with NDI staff a variety of issues specific to their committee, and to the development of PLC committees in general. The retreat discussions reviewed the various roles of the committee (legislative, oversight, and relations with the public), how to conduct parliamentary meetings using a solid agenda, how to effectively use committee staff and outside resources, and the steps needed to organize a committee hearing. Finally, a short-term work plan of the committee was developed, an exercise which enabled committee members to visualize and map out their priorities for the coming months, with the overall goal of planning the work of the committee more effectively.

Based on the positive response from members who attended the retreat, NDI recommends that similar work be undertaken with the rest of the PLC committees. Several key issues, including the effective utilization of committee staff; enhancing relations with the public through mechanisms including legislative hearings; and a clearer role of every committee in the legislative review process, are specific areas in which future assistance programs can be directed to enable PLC committees to improve their work in the long-term.

WORKSHOP DISCUSSIONS

Overview of Legislative Committees in Parliament¹

NDI program director, Mryna Philips, former Speaker of the Manitoba Legislature, presented roles committees play in legislative systems. The U.S. model, where (standing) committees are very strong, even the “backbone of the system,” was compared to the Canadian model, where there are sessional rather than permanent committees. While the former model gives committees a prominent decision-making role, the latter leaves more power with the government. Committees in the presidential system have both legislative and oversight responsibilities, while committees in a Westminster (parliamentary) system have primarily a legislative responsibility.

B. Committee’s role in the legislative process

NDI asked Council members how they interpreted the legislative process, as the process outlined in the PLC’s Standing Orders are rather vague. One member mentioned that most of the legislation is handed down from the Executive, then to the Council, then to the [relevant] committee. Draft legislation is then reviewed by the Legal Committee. Another member clarified that there will be a plenary discussion of the bill’s principles before it is sent to committee. This discussion, known as a “zero reading” is different from a first reading of a bill.

Committee members see a bill before the general discussion (first reading). This is the first window of opportunity to present the bill to the public in hearings and consultations. This can also occur between the first and second readings of a bill.

Members noted that the majority of legislative review occurs in the plenary, and it would be more efficient to increase the jurisdiction of the committees to review legislation before the first reading. A member of the Economics Committee who also chairs another committee noted that on some bills that his committee reviews, a note will be attached with [committee] comments before the first reading.

The PLC Legal Committee plays a role in all legislation. Several Members noted the conflict between the Legal Committee and the Legal Department of the Council regarding their respective roles.² Members suggested that a way to address this would be for the Legal

¹ The following report summarizes the deliberations of the Economics Retreat Committee. It is reconstructed from notes but these are not a verbatim account of the proceedings.

² According to the Council’s Standing Orders (Article 63), “The Speaker shall refer any such [draft] law to the relevant committee.” In many instances, this is deemed to be the Legal Committee. Even if a bill is sent to another committee first, it is later sent to the Legal Committee whose members review the language of the bill for

Department to review incoming legislation, while the Legal Committee could focus on the task of unifying the various codes of law (e.g. Jordanian, Egyptian) that exist in the West Bank and Gaza.

Phillips suggested that one way the Economics Committee could strengthen its role is by conducting hearings, researching economic policy issues, and then checking with the Legal Department on the legality of the concept and wording of the bill. The important point, however, is that the premise and policy of bills be generated by the committee, which then guides the legislation through the process from beginning to end. It is critical to establish a specified flow for legislation, not only so that consistency between committees is ensured, but even more importantly so that the public can be involved in the decision-making process. The public must be able to recognize the system and trust its uniformity.

The Reviewing Process for Draft Legislation

Members are offered this outline of the Committee's role if a law is passed down from the Executive to the Council, and is referred to the Economics Committee:

1. The committee organizes public hearings if it deems that the law warrants public debate.
2. Collects the positions of interest groups.
3. Asks committee staff to research the issue independently. If research staff do not exist, ask local experts. Collects as much information during the preliminary stage as possible, before decisions are made.
4. Sends bill to the Council plenary for preliminary discussion; then plenary accepts or rejects.
5. Gives bill to the speaker (or Council Affairs Committee) to put on the agenda for first reading.

The first reading of a bill entails reviewing the original version of the bill, the committee report, and suggested amendments (both from the committee and from the floor). During first reading, bills are read line by line, and articles are voted on individually. After the first reading, a bill will go back to committee. At the same time, the draft should be discussed publicly, and published in the newspaper. Those who are interested can ask for copies of the legislation.³ There is a period of two-weeks to one month, during which Council members and the public can submit amendments for consideration in the second reading. At this point, the committee will often invite experts to testify before the committee and will organize public hearings. The amendments, based on interaction with the public (e.g. policy "workshops") are

legality. At the same time however, the Council has established legal departments in Ramallah and Gaza, staffed by lawyers whose mandate is the drafting and review of legislation. As a result of this overlap, tensions have developed between the Committee and the Department, and the Committee still conducts the majority of legislative review. Members at the retreat voiced support for limiting the role of the Legal Committee in this regard, and handing over more authority to the staff of the Legal Departments.

³In practice, it is very difficult for members of the public to obtain copies of draft legislation. It is not clear which members of the Council staff is responsible for this task.

attached to the original bill and discussed by the Council as a whole.

Between the first and second readings, the Committee meets to discuss all of these written suggestions (amendments) on specific articles, wording, and it is the committee's task to synthesize the suggestions into the bill. If members agree to the bill as amended, it will be put forth for second reading.⁴

During the second reading, only amendments (from the public or MPs, and presented after the first reading) are discussed. Members will have copies of the original and amended (committee) versions.

Clearly, there are still problems with transfer of information within the PLC, and about the work of the Council and its committees to the public. It is important to know at which stage the public needs to have input, and the way the public know when this can occur.

Members noted that for some pieces of legislation, there is minimal interest on the part of the public. Nonetheless, it is important for the committee to be proactive in garnering public opinions. On some issues, formal "outreach" is not necessary because there is so much public interest already. Members seemed to feel that there is not a strong need for outreach; rather, that citizens tend to come forward concerning issues in which they are interested.

One of the major challenges faced by the PLC is that once laws are passed by the Council, there is no clear time-frame for executive review and approval. One member noted that the executive has a period of one month to review legislation. Another member noted that the speaker often waits up to two weeks before sending it to the executive, which lengthens the process. The President should accept or reject [veto] the bill, or come back with amendments.

Members also noted, in fact, that bills are often "lost" after the first or second readings (e.g. not put on the agenda again). Phillips pointed out that it is important to clarify that once a bill is introduced in the Council, it is the property of the Council, and can only be stopped by a majority decree.

Moreover, there is frustration that legislation (e.g. the Basic Law), is often delayed for political reasons. To counter this, members must strategize on whether it is (politically) wise to wait or push through a certain piece of legislation. Moreover, the committee as a whole needs to strategize (and sometimes compromise) with government ministers.

Amending Legislation

The process of considering amendments is often confusing, as amendments are both

⁴In theory, the Council can reject a bill after first reading, but this has never been done in practice -- the vote taken after the first reading of any bill has always passed.

written and oral form, and often several [contradictory] amendments are before plenary at the same time. Moreover, individual amendments are sometimes confused with committee amendments. There is often confusion as to how amendments are prioritized (committee versus individual member amendments).

Phillips reiterated that if a bill is accepted in general, then it is the property of the Council. This means that amendments should not change the principle of the bill, they should only improve or strengthen the bill. Another important point is that a quorum must be verified before any vote, including votes on amendments.

Overall, every amendment must be handled in the same way. Every amendment should be moved, seconded, discussed, then voted on.

C. The Committee's Role in Conducting Oversight of the Executive

If a committee finds suspects a violation of any law by the executive, their role in providing oversight would be to ask the Executive to conduct an official investigation, and report back to the Council. In Canada, for example, the minister is ultimately responsible, so it is his or her duty to report back to the parliament on his or her findings. If the minister, however, is guilty of wrongdoing, it is customary that s/he should resign. There is a difference between a minister violating the law and making a bad decision. If ministers are suspected of a criminal act, they should not be immune from criminal charges.

The oversight role in PLC committees, however, is much larger. The first component relates to monitoring Executive policy and implementation. The second relates to the budget -- how departments are spending money (either too much or not enough), and lobbying the government for new programs.

In order to start monitoring the executive branch, committees must discuss the resources they have at their disposal to conduct oversight. The Economics Committee could have sub-committees to conduct oversight, track legislation, and work on policy development. These sub-committees could report back on their progress to the committee as a whole.

Members emphasized that the Executive also needs to play a role in articulating clear policies to the Committee. It is often very difficult to get clear information from the Executive, and to know which laws to draft. Ministers currently have more resources than the committees to develop policy.

Phillips suggested a process for coordinating more effectively with the Executive, which would entail the following components:

1. Receive policy information from ministers regularly
2. Receive relevant legislation from the ministries

3. Work with the ministries to develop and approve policy
4. Discuss the budget with the ministers

Members of the PLC have the right to ask the Executive for information. It would be useful for the Committee to identify the specific departments with which the committee wants to work. The committee must be well-organized in its dealings with the Executive. For example, if a minister/other governmental official is asked to testify or speak at a committee meeting, a clear agenda for the meeting should be set, background research on the issue should be conducted in advance and the results given to each member before the minister is invited.

Phillips stressed that the Economics Committee target one ministry and exercise their oversight role on it.

D. Role of the Committee in Policy Development

The first step in making policy is identifying issues that require legal solutions. Issues that the economic committee might consider would include working conditions, factory closings, unemployment or foreign investment. Most often, the committee would address the problem based on the number of constituent complaints. If the economic committee received 100 complaints about how economic development policies were affecting small farmers, this might mean that the committee would review the policy. (See below for a discussion of the handling of constituent complaints).

The Committee would then gather information on the issue. In this respect the role of the committee staff is crucial; they should research the problem and provide options for resolving it. Generally, their report would list options for a certain policy, who benefits from each option and what is the impact on different groups of each option. That report, known in Canada as a White Paper, or policy paper, is distributed to members of the committee and the public before discussion so that all members are informed. If there is no staff, the committee could engage consultants or ask academics to volunteer their time towards researching the issue. In either case, information is vital to the ability of the committee to affect policy.

Finally the committee would hold a hearing on the policy. The people who complained can describe their problem and the committee could then discuss the different policy options. The committee would then make a recommendation to the plenary or the government.

One member divided the issue of dealing with constituency complaints into three components: the nature of complaints, the process for discussing the complaints and how to achieve a resolution to the issue. There are four typical outcomes to a complaint (1) financial, (2) enforcement of existing policy, (3) new law or amendment, and (4) no need for action.

One member expressed a concern that the Economics Committee has faced difficulty because the economic policy of the Executive is not clear, and there is not a clear delineation

between different sectors of the economy. While the overall policy is general, the Committee has had to face many specific problems put forth by citizens such as farmers. Another member suggested that the uncertainty in government policy can be seen as an opportunity for the Committee. Council members can take the initiative and help the government determine policy.

E. Practical Issues: Agenda Setting, Parliamentary Procedures in Committee Meetings

This discussion began with an overview of what should be included in any agenda (see appendix):

1. Call to Order
2. Roll Call: (This is done by the chairman. A quorum must exist.)
3. Minutes: (Review from the last session, ask if there are any errors or omission. If so, correct the written record. These minutes become official documents of the Council.)
4. Officers' Reports: (The chairman reports on activities since the last meeting.)
5. Committee Reports: (These include sub-committee reports.)
6. Special Orders: (These take priority over other matters.)
7. Unfinished Business
8. New Business
9. Announcements: (These might include an invitation to a community event.)
10. Adjournment: (The chairman asks for a motion to adjourn and a seconder. There is an immediate vote (no debate) on this, which must be carried by the majority. Before adjournment, it is important to set the time and place for the next meeting.)

The discussion moved then to committee meeting agendas. There are several important characteristics of a committee agenda. First, each item on the agenda has a number, which includes the year that it was presented in the committee. This number stays with the item forever, which makes tracking and follow-up easy. Members keep binders with tabs.

The agenda also assists the committee in its decision-making process. The agenda includes attendance, minutes and new and old issues (legislation, policy, complaints). There should be a motion to adopt minutes of the previous meeting, which is seconded and carried. Any decision the committee takes is included in the minutes. It shows that issues were decided in a procedurally-correct manner, and that agreement was reached on the part of the committee. If a committee has six pieces of legislation to deal with in one committee meeting, there should be an update on each, separately. If action is required, the chairperson gets involved (e.g. talking to the Council Affairs Committee to ensure that the legislation is scheduled for the plenary). This would be reported on in the next meeting.

Members commented that this process is already occurring in the PLC to a certain extent, but that it varies between committees. One member noted that the filing system is improving, particularly in terms of tracking complaints, but there is a need for more extensive staff training.

Phillips noted the importance of good documentation, not just in terms of the current operations of the Council, but for historical purposes as well.

One of the committee clerks explained how the minutes are prepared. The agenda is prepared by the chairman of the committee. During the meeting, the clerk takes notes on all the items on the agenda, as well as the time, place of the meeting, and how many people attended. After the meeting, the minutes are given to the chairman and rapporteur for their review.

Many committee clerks have ideas about how to improve the work of the committees, but in the absence of a clear administrative structure of the work of the Council staff is difficult.

It is also important for the media to be a vehicle to convey information about the legislature to the public. In many newspapers there is a listing of all of the daily meetings that will occur in the legislature, including committee hearings, and their time and place (so that interested members of the public can attend).

F. Role of Committee Staff

Compared to other legislatures, the PLC is relatively understaffed in terms of committees. All Council committees have two committee clerks (one in Ramallah, one in Gaza). The Economics Committee also employs several economic consultants.

The Economics Committee has two talented clerks, but they are not utilized for their research and analytical ability. If, for example, the committee is discussing a policy issue, the staff could write a background paper which would outline the options for the committee. While the members of the committee would still be the decision-makers, they would have information and options provided by their staff on which to base their decisions. Members noted that they already ask for advice outside of the Council. The utilization of resources within the Council, however, is equally important.

Another way that staff can be utilized more effectively when the committee is considering amendments to legislation is for the staff to review the amendments and papers sent by NOGS, and other outside groups, and conduct a preliminary analysis. Another role of staff in legislatures is to interact with the media (i.e. to make sure that the law will be published, and notice of public meetings given). This is a job for the committee staff, *not* the public relations department of the Council (although they can work together).

Another area in which the staff can be helpful is coordinating between the committee and the relevant ministry. In addition, staff can coordinate and communicate with other committee staff, particularly where there is issue overlap, and also in terms of coordinating with NOGS and the public. Delegating some of this responsibility from the members to the staff, would both save members time, as well as enable members to make better, more informed decisions.

Members suggested that a top priority of the newly-established Council Affairs Committee should be to develop a clear mandate for its staff to perform the functions mentioned above.⁵

G. Parliamentary Procedure for Committee Reports

This discussion focused on the role of committee members during plenary deliberations on a committee report. Phillips asked why members of the committee, other than the chairman, are prevented from speaking during a session. The members clarified that it is the role of the chairman to discuss the report and present the views of the committee as a whole during the plenary, but that he or she can also allow another member to speak in his place.

An important issue is majority versus minority decisions within the committee, having committee consensus on the report. Members differed on whether it is acceptable to have dissenting opinion within the committee. While some maintained that it is important for members to clearly support the position of the committee chairman, others argued that it is important for the legislative process to reflect dissenting opinions.

If the first reading of a bill is passed by the Council, the Committee is then responsible for it. Between first and second reading, the committee takes the draft bill, with suggestions, and has one month to prepare amendments, and incorporate suggestions raised in the plenary.

It is appropriate for the Legal Committee to play a role in issuing legal opinion, i.e., whether the wording of a certain amendment conforms with the law. They should *not* issue an opinion on whether the amendment is good or bad. If this does not work in practice, then the Standing Orders could be amended to clarify that the Legal Committee handles judicial affairs, and legal — not policy — advice on legislation. It is important for the Economics Committee, and other committees, to have decision-making authority in their relevant areas of expertise and jurisdiction.

H. Attendance and Quorums

Currently, the quorum is taken on the Monday morning of a three- to four-day session, but is not verified later in the week. This means that votes later in the week are often taken in the absence of a majority. According to the Standing Orders, however, a quorum must be maintained in order for any meeting to continue. It is up to members to monitor this, and to call a point of order if the quorum does not exist.

The problem with attendance, noted another member, is exacerbated by the lack of political

⁵The Council Affairs Committee was established in October, 1997, to handle the overall administrative and organizational issues of the Council, including the setting of the short and long term agendas for the Council, the scheduling of legislation, committee reports., etc. Representatives from all eleven committees, as well as the Office of the Council, are members of this committee.

party discipline. It might only be the relevant committee which cares about a certain law. In addition, many members have other business, or work for the Palestinian Authority as consultants, and have no time for legislation.

It is important for members to recognize that their primary responsibility is to the legislature. As the media gets more actively involved, it may report on members not attending sessions. In Canada, for example, if the press reports that the legislature adjourned because of a lack of quorum, the public would be outraged. This happens rarely, because there is so much public pressure to attend. There are also rules sanctioning pay cuts for members who do not attend.

In terms of confronting the problem of attendance, Phillips suggested that Council members find ways to gain public attention (either through the media or otherwise). Also, members might want to consider amendments to the Council's Standing Orders that will be punitive toward absent members.

I. Committee Expenditures

While the Council's Standing Orders calls for each committee to have a specific operating budget, this is not done in practice. As a result, it is extremely difficult for a committee to track expenditures. Members noted that obtaining money for committee expenses (e.g. hiring experts for consultation on a law) is not difficult, as this is counted under general "Council expenses." However, this lack of a formal budget for Council committees hinders effective long-term planning of the committee work.

J. Implementing the Plan: Organizing Committee Hearings and Scheduling the Work of the Committee

Phillips began with a broad outline of what should be included in a committee hearing and how it should be organized. Having attended one of the Committee's hearings earlier in the year, Phillips put forth several suggestions as to how the committee can enhance the efficiency of this activity.

Important considerations for organizing an effective committee hearing:

1. Avoid a topic that is too broad; rather, focus on one piece of legislation, and have targeted questions prepared.
2. Before the hearing, make sure that the invited guests have received all the necessary information (i.e. copies of the law, policy paper).
3. As committee hearings are a powerful legislative tool, make sure they are conducted in a formal manner. Seating arrangements, microphones, etc., are very important.

4. All proceedings should be recorded, because this is an important part of the legislative process.
5. Before the hearing begins, make sure that there is someone greeting the invited guests at the door (either the committee chairman or a member of the staff), to give them any materials and show them to their seats.
6. Make sure that the room is large enough and comfortable (e.g. heat, air conditioning).
7. The committee chairman should welcome the guests and give a brief outline of the purpose of the hearing and the procedure (rules) they will be following.
8. The format should allow guests to make presentations, and then for the committee to respond. Committee members should not argue with the guests.
9. It is critical that the guests feel that their opinions are important.
10. This type of hearing represents a forum legislators to hear from the public. A public meeting is different from a ministerial hearing. There should NOT be any members of a ministry (e.g. staff), participating in the hearing, lest they dominate discussion.

There was a suggestion that the process for hearings should be included in the Standing Orders, so that this process is not only institutionalized, but well understood by the members. Also, there should be announcements in the newspapers about public hearings.

K. Scheduling the Committee's Work

Members of the Committee identified the items of legislation on which they were currently working, or expect during the remainder of the session. These include (as of November 8, 1997):

Name of Draft Legislation	Status
1. Gold Stamp Law	Just passed down from the Executive. The Council will have general discussion soon.
2. Investment Law	The Ministry of Commerce sent the bill to the cabinet. The Council has not received it.
3. Companies Law	Same as Investment Law.
4. Local Development Banks Law	Currently being reviewed by the Economics and Budget Committees.

5. **Petroleum Commission Law** **Will soon begin second reading in the PLC.**

Given these priorities, the session was devoted to developing a work plan and agenda for the Committee's work over the next several months.

Stages of legislation :

1. **Committee Review**
2. **Public Hearings**
3. **Committee Report and Recommendations**
4. **To the Speaker (or Council Affairs Committee) for scheduling**
5. **To the Council for preliminary discussion**
6. **Returned to the Economics Committee**
7. **Review of amendments by Legal Committee**
8. **To the Speaker for scheduling (first reading)**
9. **First Reading in the plenary**
10. **Back to the Economics Committee (two weeks to one month) to receive and review amendments**
11. **To the Speaker for scheduling (second reading)**
12. **Second reading in the plenary**
13. **Bill sent to the Cabinet after two weeks**
14. **President signs the bill or requests a third reading within one month**
15. **If third reading, back to the Economics Committee for study**
16. **To the Speaker for scheduling**
17. **Third reading in the Council**

Given these stages, and the legislation identified as the Committee's work over the next several months, the discussion then turned to how the committee can plan for the next several months of work. As the Council is expected to recess in February, a short-term plan was developed.

On the draft legislation just received from the Executive, the committee must determine whether committee hearings are needed. They also must determine how much time they need to review the legislation before it is sent to the Speaker (or Council Affairs Committee)? Then the committee must monitor the bill closely to make sure it is put on the agenda.

The Economics Committee must prioritize and figure out ahead of time which bills will take the longest and require the most hearing. These are issues on which your committee must decide.

In addition to prioritizing legislation; whether the committee must decide which members will focus on which legislation? The chairman be involved with how many hearings will be conducted for each bill, and how much outreach will be needed.

All of the decisions need to be made by the committee as a whole. At committee meetings, it should be decided who will focus on what, and then members can report back at the next committee meeting.

It is expected that other laws will be passed down to the committee over the next several months, the committee needs to build this into its time line. Moreover, the Office of the Council should have a running time line for all legislation.

Dual tracking should be an important component of the committee's work; namely, if there will be a delay after the first reading of a bill, work on another law can begin. Work must continue on different items at the same time.

APPENDICES



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**Economics Committee Retreat
November 8 and 9, 1997
Agenda**

Saturday, November 8, 1997

- 10:00 Introduction and Welcome**
Myrna Phillips, Director, PLC Program, NDI
Fakri Turkma, Chairperson, Economic Committee
- 10:30 Overview of the Legislative Committees in Parliaments**
- role and purpose in democratic systems
- mandate of committees
- role of committee staff
- Committee budget
- 12:00 Lunch**
- 1:00 Parliamentary Procedure in Committee meetings**
- agenda
- decision-making, motions
- votes
- record Keeping, minutes
- 3:00 Duties of the Committee**
- legislation
- policy Development
- oversight/departmental budgets
- complaints
- 5:00 Adjourn**
- 6:00 Dinner**

Sunday, November 9, 1997

- 9:00 Scheduling the Committee's work**
- identification of tasks ahead
- short term plan (3 months)
- long term plan (6 months)
- coordination with other committees
- 11:00 Organizing Public Hearings/Interest Groups**
- public Participation
- policy Issues
- legislation



- executive Participation
- organizational Requirements

12:30 **Case Study**

2:00 **Lunch**

3:00 **Adjourn**



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The National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. The Institute works with courageous democrats who are struggling to promote peaceful political reform. It establishes partnerships with political leaders who have begun the difficult task of building stable pluralistic institutions and creating better lives for their citizens.

Democracy depends on: legislatures that represent citizens and oversee the executive; independent judiciaries that safeguard the rule of law; political parties that are open and accountable; and elections in which voters freely choose their representatives in government. Acting as a catalyst for democratic development, NDI bolsters the institutions and processes that allow democracy to flourish.

Since 1983, NDI has compiled a remarkable record of achievement. Strictly nonpartisan, the Institute supports the efforts of democrats in every region of the world to:

Build Political and Civic Organizations: NDI helps build the stable, broad-based and well-organized institutions that form the foundation of civil society. Democracy depends on these mediating institutions, which link citizens to their government and to one another by providing avenues for participation in public policy.

Safeguard Elections: NDI is the world leader in election monitoring, having organized international delegations to monitor elections in dozens of countries worldwide, helping to ensure that polling results reflect the will of the people.

Promote Openness and Accountability: NDI responds to requests from leaders of government, parliament, political parties and civic groups seeking advice on matters from legislative procedures to constituent service to the balance of civil-military relations in a democracy. NDI works to build legislatures and local governments that are professional, accountable, open and responsive to their citizens.

International cooperation is key to promoting democracy effectively and efficiently. It also conveys a deeper message to new and emerging democracies that while autocracies are inherently isolated and fearful of the outside world, democracies can count on international allies and an active support system. Headquartered in Washington D.C., with field offices in 38 countries, NDI leverages the skills of its highly committed staff by enlisting volunteer experts from around the world, many of whom are veterans of democratic struggles in their own countries and share valuable perspectives on democratic development.

