

Two day workshop in Estonia on developing skills to improve the legislative process

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Dear Michael:

You asked for some questions the answers of which might help us to better understand Estonia's law-making process. We have given a few below. Perhaps you can think of more.

As always,

Ann & Bob

QUESTIONS ABOUT ESTONIA'S LAW MAKING PROCESS

It would help if we could get a detailed picture of the steps taken from the time someone gets an bright idea for a bill to the time that bill comes up for a vote in Parliament, and after its enactment: Who does what at each step? [At each step, what role do ministry officials play? Members of Parliament? Civic organizations? Others? Do printed rules govern each of these steps, specifying criteria and procedures the relevant actors should follow? or do the relevant actors simply act according to custom?]

1. Who identifies a social problem and decides on its priority for preparing legislation?
2. Who does what kind of research to lay a basis for the decisions as to the bill's detailed provisions? [Does the research cover existing laws (including administrative regulations)? Does it explore the country-specific circumstances, especially the relevant actors' behaviors, that give create the problem? Does it include examination of other countries' laws and experiences with dealing with similar problems?]
3. What kind of memo accompanies the bill when it goes to the parliament? [Does it simply restate the bill's purpose and proposed measures in layperson's language? Or does it provide an analysis of the facts about the social problem, the causes of whose and what behaviors comprise it, and demonstrate the logically the bill's detailed proposals seem likely to overcome those causes and induce more appropriate behaviors?]
4. How do Parliamentary Committees deal with bills: Do they hold public hearings? what kinds of questions do members usually ask? Do they publish

reports as to the grounds on which they decide whether to recommend the bill's enactment?

5. What role does the Parliamentary staff play in helping legislators to assess the bill? What kind of research do staff members do? What kinds of questions do they suggest the legislators should ask?

6. What kind of mechanism exists, either in Parliament or in the executive branch, for monitoring and evaluating legislation after its enactment? Who has responsibility for gathering whose and what kinds of inputs (ideas, facts) as to its implementation and social impact?