

Restrictive rules in Chile's Congress

*** Work in progress ***

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What is the urgency authority?

The executive can **interfere with legislative scheduling** at will
(Carey&Shugart 1998, Morgenstern 2002)

When a bill declared **urgent**:

- Colombia: it takes precedence over other legislative business immediately
- Brazil: assembly must act in 45 days, else it takes precedence
Since 2001, all *medidas provisórias* are urgent
- Mexico: must be scheduled for floor vote within 30 days
(but 4 bills/year only)
- Chile: chamber must act in 30 days or less
- Uruguay: must act in a pre-specified, short period,
inaction turns bill into law

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- Any bill at any stage can be declared urgent
- Chamber urged must “discuss and vote” before 30 days
- Law sets the breadth of the interference
 - 1 act now (*discusión inmediata*, 6 days)
 - 2 two weeks notice (*urgencia suma*, 15 days)
 - 3 four weeks notice (*urgencia simple*, 30 days)
- Can retire the urgency, with immediate effects
- Non-compliance: reversionary schedule/policy indetermined

“... can have **dramatic effects** on ex.-leg. relations,
legislative organization, and policy...”
(Morgenstern 2002)

Or perhaps **irrelevant** in the face of opposition:
schedule now \neq passage

Under-investigated (Chile only?):

- 60 % exec. proposals 1990–94 urgent (Siavelis 2002)
- Strongly associated with likelihood of passage (Alemán&Navia 2009)

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- Speed of consideration (Siavelis):

urgent	29.0 weeks
rest	29.7 weeks
- Methodological obstacles: right censoring, selection bias...
- Urgency is a signalling device (Alemán&Navia)
- We explore a different rationale:
 - urgency \neq accelerator
 - urgency = **restrictive rule**

- Original dataset of bill histories 1998–2014
- Many missing records before 1998
- Covers 3+ presidencies, variance in president's status (coalition unity, Carey 2002, Alemán&Saiegh 2007)

Coalition	1998–02	2002–06	2006–10	2010–14
Cámara de Diputados				
President's	58	53	51	50
Opposition	42	48	47	48
Regional			3	2
Total	100	100	100	100
Senate				
President's	50	50	55	45
Opposition	50	50	45	55
Total	100	100	100	100

`www.camara.cl` very sharp

Scraped with Python's Selenium library → **bill histories 1990–2014**

The screenshot shows a web browser window with the URL `camara.cl/ley/ley_detalle.aspx?prmID=498&prml=2035-06`. The page title is "Proyectos de Ley". The main content area displays the following information:

- Modifica la ley Orgánica Constitucional de Municipalidades, con el objeto de establecer sistema de elecciones separadas de alcaldes y concejales.**
- Legislatura:** 335
- Fecha de ingreso:** martes 03 de junio de 1997
- Estado:** Tramitación terminada (Ley N° 19.737 - D.Oficial 06/07/2001)
- Numero de boletín:** 2035-06
- Materia:** Alcaldes, Elecciones Municipales, Municipios
- Iniciativa:** Mensaje
- Cámara de origen:** Senado

Below this information is a table with tabs for "HITOS TRAMITACIÓN", "INFORMES", "OFICIOS", "INDICACIONES", "URGENCIAS", "AUTORES", "VOTACIONES", and "VETO". The "HITOS TRAMITACIÓN" tab is selected, showing a table with the following data:

Fecha	Sesión	Etapas	Sub-etapa	Documento
03 de Jun. de 1997		Primer trámite constitucional / Senado	Ingreso de proyecto	Ver
03 de Jun. de 1997	1ª / 335	Primer trámite constitucional / Senado	Cuenta de proyecto. Pasa a Comisión de Gobierno, Descentralización y Regionalización	
21 de Abr. de 1998	9ª / 337	Primer trámite constitucional / Senado	S.E el Presidente de la República incluye proyecto en la Convocatoria a Legislatura Extraordinaria.	
09 de Jun. de 1998		Primer trámite constitucional / Senado	Primer informe de comisión	Ver
09 de Jun. de 1998	3ª / 338	Primer trámite constitucional / Senado	Cuenta de primer informe de comisión	

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Fecha Inicio	Fecha término	N°Oficio	N°Mensaje Ingreso	N°Mensaje retiro
02 de May. de 2020		Suma	0020501	
18 de Abr. de 2001		Suma	419-343	
10 de Abr. de 2001	04 de May. de 2020	Suma	395-343	0020501
14 de Mar. de 2001	11 de Abr. de 2001	Suma	332-343	401-343
13 de Mar. de 2001		Discusión inmediata	322-343	
06 de Mar. de 2001	13 de Mar. de 2001	Simple	290-343	322-343
16 de May. de 2000		Discusión inmediata	437-341	
16 de May. de 2000	16 de May. de 2000	Suma	413-341	437-341

Bills, success, and urgency 1998–2014

Bills	by legislators	by president	by either
introduced	5,533	1,469	7,002
as %	79	21	100

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declared urgent	351	1,016	1,367
as %	26	74	100
as % introduced	6	69	20

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as %	26	74	100
as % introduced	6	69	20
declared urgent & passed	167	762	929
as %	18	82	100
as % declared urgent	48	75	68

Message types

	1998–2002	2002–2006	2006–2010	2010–2014	1998–2014
Act now	5	6	3	4	4
2-week notice	16	14	9	23	16
4-week notice	29	22	13	12	17
Shorten deadline	2	2	2	4	3
Extend deadline	29	33	41	43	39
Withdraw (act now)	1	2	2	2	2
Withdraw (2-week)	7	10	14	8	10
Withdraw (4-week)	10	11	17	3	10
Total messages	100	100	100	100	100
(N)	(1,268)	(1,881)	(4,941)	(5,643)	(13,733)

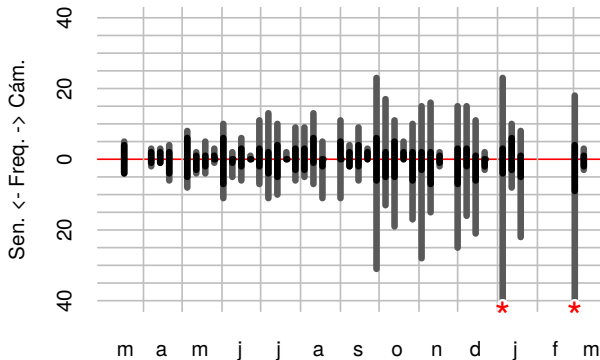
Number of messages	Bill freq. %
1	16
2	18
3	11
4	8
5-10	25
11-20	14
21-71	9
Total	100
(N)	(1,367)

Micro-managing presidents? Look @ message contents

Urgency message incidence

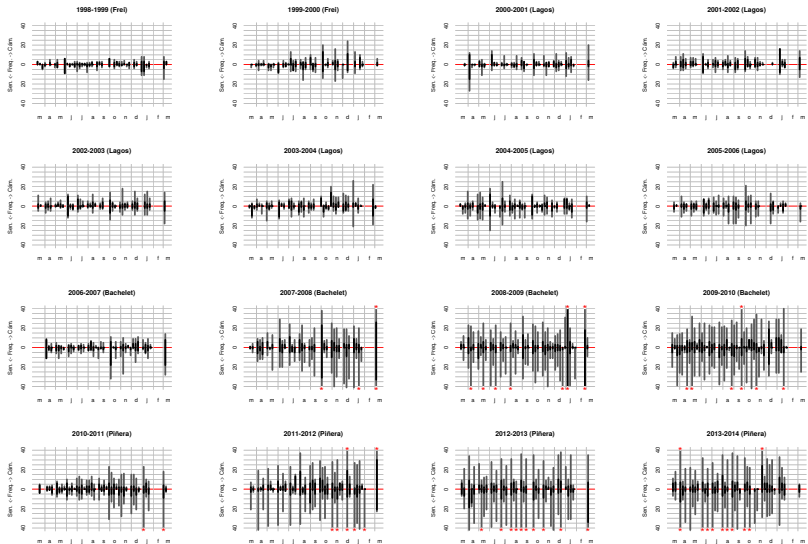
Weekly messages in one legislative year
black = original urgency

2010-2011 (Piñera)



(Two histograms: Cámara above, Senate below **zero** line)

When all is urgent...



25 % urgencies were for member bills. Vote trading?

		Urgency by Concertación president	
Concertación sponsors		yes	no
	all	39	26
	some	40	48
	none	21	26
		100	100

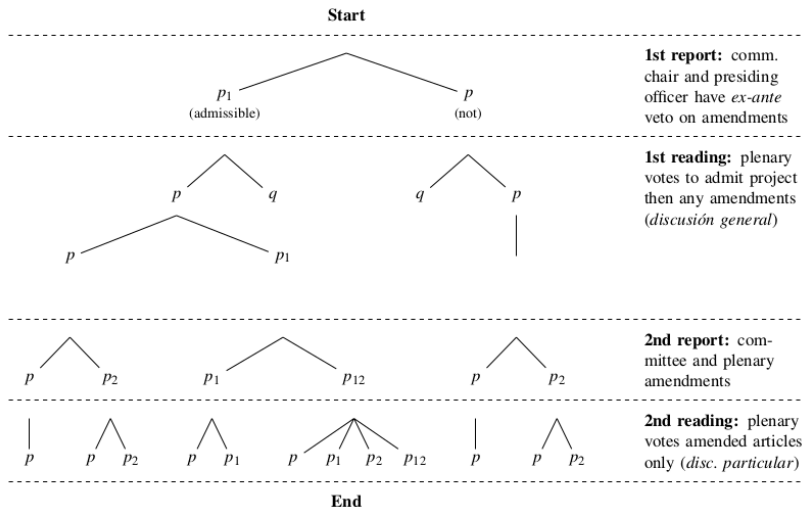
One example and an intuition

	original version	amendments
Art 1.	appropriate \$200	\$300
Art 2.	split in two equal parts	$(\frac{1}{4}, \frac{3}{4})$ split
Art 3.	one for students, one for teachers	—

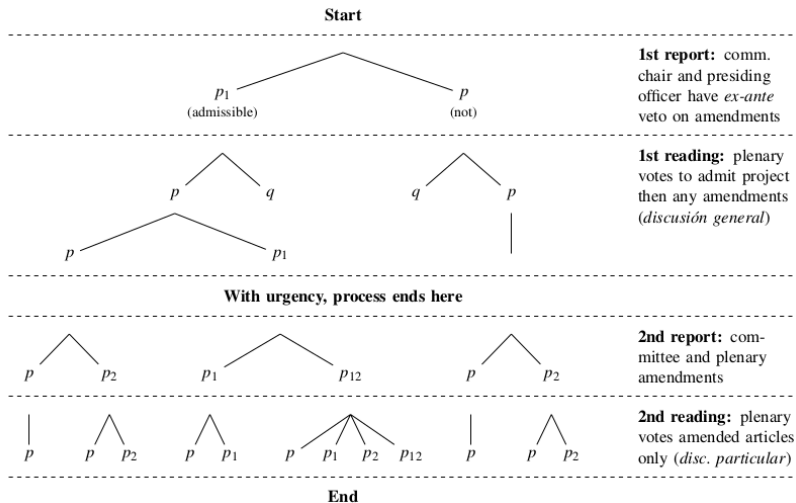
Notation:

p	original version
q	status quo
p_1	art. 1 amended
p_2	art. 2 amended
p_{12}	both amended

The urgency as a restrictive rule



The urgency as a restrictive rule



- Urgency → closed rule
- Unlike Rules Committee, Chilean prez controls this
- Test?
 - 1 Study amendments, admitted v. not
 - 2 $\text{Corr}(\text{amendments}, \text{urgency}) < 0$?
 - 3 Role of shorter deadlines → abort amendment threats?
- 2/5 messages extend deadline, 1/5 withdraw urgency

¡Muchas gracias!

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¡Muchas gracias!

Extra material

Determinants of bill urgency

	<i>DV=1 if urgent, else 0</i>	
	(1)	(2)
Member bill	-2.978***	
Member bill, opp.-sponsored		-3.597***
Member bill, mix.-sponsored		-2.517***
Member bill, pres. coal.-sp.		-2.969***
Hacienda	1.761***	1.782***
Senate majority	-0.304***	-0.302***
Introduced Senate	0.184*	0.415***
Pres. term remaining	0.004***	0.004***
Year remaining	0.003	0.003*
Constant	-0.047	-0.113
N	6,987	6,987
LogL	-2,057	-2,029
% predicted correctly	89	89

Except

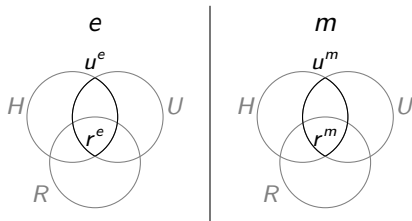
- 1 bills exempt from committee referral
- 2 bills already reported

consequential urgency → committee report follows
→ report before deadline

- Any authorization **must** be referred to Hacienda committee, no exception
- (2) above favors H_0

Message	Report w/i deadline (%)
Act now	63
2-week notice	27
4-week notice	25
Deadline shortened	41
Deadline extended	23
Withdrawn	6
All	27

Three event count models

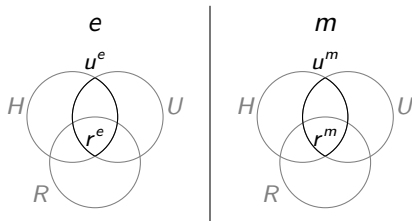


IndVar	DepVar	
	r^e	r^m
u^e	Mod. 1	Mod. 2
u^m		Mod. 3

Weekly counts: $r_t^e = \beta_0 + \beta_1 u_t^e + \beta_2 u_{t-1}^e + \dots$

Negative binomial regression

Three event count models



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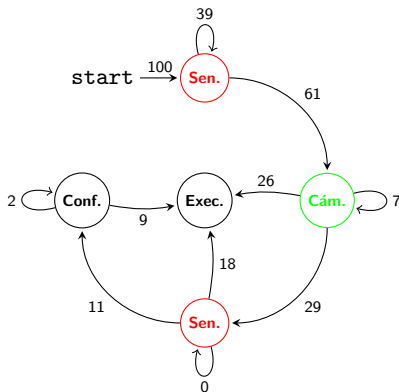
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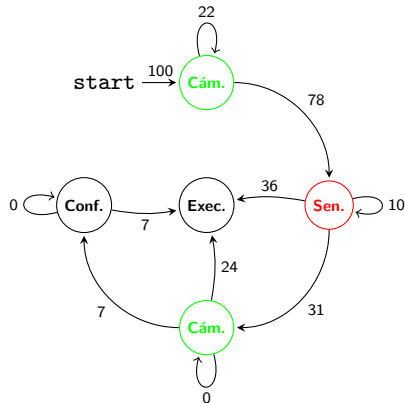
Message effects on Hacienda reports, Cámara

Type	Weekly reports					Weekly reports				
	$t = 0$	1	2	3	4	$t = 0$	1	2	3	4
	$u^e \rightarrow r^e$					$u^e \rightarrow r^m$				
Act Now	++	+	--				++			
2-week notice		++		--		++	-	++		
4-week notice				++	++					
Shorten deadline		++								
	$u^m \rightarrow r^e$					$u^m \rightarrow r^m$				
Act Now						++	++			
2-week notice		(not estimated)						++	++	
4-week notice										
Shorten deadline										

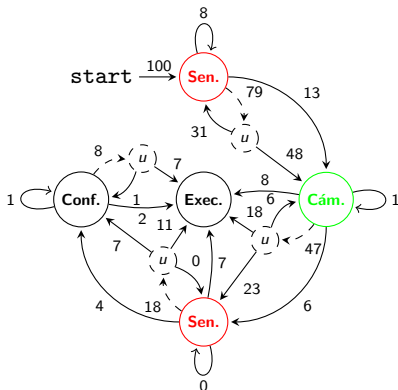
Sent to Senate ($N = 90$)



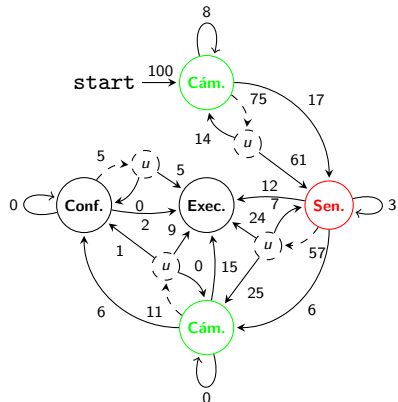
Sent to Cámara ($N = 314$)



Sent to Senate ($N = 90$)



Sent to Cámara ($N = 314$)



schedule now \neq passage
certainly, but

1 Imperfect negative agenda control

- Committee gatekeeping \rightarrow silent death (Weingast&Marshall 1988)
- Could majority cartel operate? Must include president (Cox&McCubbins 2005)

2 Dilatory tactics

- Worsen legislative bottleneck (Cox 1987)
- Exploit impatience of those next in line (Wawro&Schickler 2007)