Committee Property Rights, Executive Dominance, and Political Parties in Latin American Legislatures

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Abstract:
Motivated by extant theories of congressional committees in the U.S. context, and building on the growing body of work focusing on the institutional features of legislatures in Latin American presidential systems, this paper explores two previously overlooked aspects of committee politics. Using comparative data from three Latin American countries, we examine the strategic and jurisdictional dynamics in which chamber leaders assign bills to committees and then investigate the factors affecting presidential and partisan success within committees. In general, we find that committees have strong property rights and that both bill initiator and bill characteristics strongly influence whether bills survive in committee. The results shed light on the effects of institutional design on the policy process in presidential systems.

Keywords: Committees, Bill Referral, Latin America, Political Parties

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The rise of the new institutionalism produced a multitude of important studies of the presidential systems of Latin America. Research into electoral rules, legislature and legislator behaviors, combined with studies of party politics, provided many key insights into the region’s democracies. Furthermore, the logical outgrowth of these studies of legislator and legislature behaviors focused on the effect of institutions on policymaking. The ability to “get things done” was inextricably tied to democratic institutions throughout the region.

Despite the literature’s emphasis on democratic institutions in general, and legislatures and legislators in particular, relatively few works investigate the role of legislative committees in the policymaking process in Latin America. This stands in stark contrast to the extant literature in American politics, where numerous scholars explore the interplay of parties and committees and several theoretical perspectives compete for supremacy when explaining policymaking in Congress. However, little is known about these theories of committees beyond the peculiarities of the American system. The Latin American context is a particularly fertile testing ground in that it offers variation that is unavailable to U.S. legislative scholars because in the latter, partisanship, ideology, and institutional power are virtually inseparable. In contrast, the multiparty systems that characterize Latin America offer a prime opportunity to adjudicate the competing claims advanced by theories focusing on the role of parties, members’ ideological persuasion, and institutional centers of power.

Motivated by these competing theories, we examine two key questions regarding the role of committees in the policymaking process in Latin America. First, to what degree is the bill referral process institutionalized? In a region where legislatures are generally seen as reactive and possibly too understaffed to address policy concerns, do committees even hold jurisdiction

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1 Work in this field is vast. See Morgenstern and Nacif (2002) for an overview.
over policy, or instead, does the Speaker\(^2\) utilize discretion when assigning legislation to committee? Second, what institutional factors affect the probability that bills will emerge from committee or, alternatively, what causes them to die in committee? Is this process driven by executive dominance, the discretion of the Speaker of each legislative chamber, partisan politics, or logrolling by legislators? In order to answer these questions we examine committees in five legislative chambers drawn from three Latin American presidential democracies: Colombia, Costa Rica, and Venezuela. Furthermore, we examine bill referral and reporting using two original data sets. The first covers economic legislation from the 1980s and 1990s dealing with the contentious area of neo-liberal versus state-centered policies. The second examines all bills introduced in the fragmented 2006-7 Colombian Chamber of Representatives.

The paper proceeds as follows. In the next section, we discuss extant theories of committee politics that form the basis for our analysis, and develop testable hypotheses drawn from these theoretical perspectives. The following section describes our data and methods, while the penultimate section presents our results. In general, we find that bills are largely assigned to committees based upon their issue content, though Speakers exercise limited discretion. We also determine that both bill characteristics and bill initiator characteristics affect the likelihood of a bill being reported out of committee. The final section restates our key findings and briefly discusses the implications of our work for future research.

**Committees and Theories of Legislative Organization**

At least as early as Woodrow Wilson’s ([1885] 1913) observations of the operation of congressional committees, legislative scholars have put forth a great deal of effort in ascertaining

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\(^2\) While the leader of each legislative chamber in Latin America is generally referred to as the Chamber President, this creates potential confusion with the executive, the President. Consequently, we refer to each Chamber President as the Speaker.
the implications of these micro-legislatures’ effects for member and institutional behavior, as well as policymaking more generally. In his landmark study, Mayhew (1974) argued that committees, as structural units of Congress arranged to serve the interests of members, offer a diversity of opportunities that result in electoral rewards. Building on Mayhew’s insights regarding members’ motivations, a large literature has developed seeking to place committees in the broader legislative context. A key question relates to the role of committees in the policymaking process. Do they work to serve the interests of members, particularly those serving on the committee, in the hope of advancing their constituents’ concerns? Alternatively, do committees work to serve the interest of parties, or even perhaps the concerns of the parent chamber?

Contemporary congressional scholars’ development of partisan theories of congressional organization is particularly germane when attempting to answer these questions. Cartel theory argues that the House is organized to serve the interests of the chamber’s majority party—predominantly by managing the agenda and preventing adverse proposals from advancing (Cox and McCubbins 1993, 2005). Conversely, advocates of conditional party government argue that party-based government occurs when the parties are ideologically homogenous/polarized (Aldrich and Rohde 1997-98, Rohde 1991), while Krehbiel (1991) argues that ideology, not party, explains much of congressional organization and legislator behavior. Regardless, legislators organize their respective chambers in ways that bring about partisan or ideological benefits. Unfortunately, America's two-party system restricts our ability to adjudicate amongst these competing theories.

We attempt to shed light on these arguments by examining both bill referral and bill reporting in Colombia, Costa Rica, and Venezuela. In many ways, these legislatures are
structured much like the United States Congress. Bills are introduced, either by legislators or
directly by the executive, and then they are assigned to a committee by the Speaker. Committees
can then either approve the bill for a floor vote, or stop the bill through inaction or a negative
vote. The party systems in these countries were relatively consolidated (by regional standards),
though all underwent increased fragmentation during the period under study. The major
difference in these legislatures is that unlike the U.S. Congress, these are multiparty systems.
Consequently, we can examine the potential power exercised by the Speaker in each of these
chambers over the policymaking process by exploring the bill assignment and referral process.
If Speakers are granted substantial (or even extra-legislative) powers over the policymaking
process in a similar fashion as that of some presidents, they may be able to use discretion when
assigning bills to committees. Alternatively, if parties or even individual legislators are
powerful, Speaker discretion should be minimal. Parties and legislators should instead use
committees to protect their interests.

Bill Assignment

A cornerstone of the committee literature is that institutionalized legislatures place a
premium on established rules regarding policy jurisdiction (Polsby 1968). While committees
may battle over policy “turf”, once resolved these property rights tend to persist (King 1997).
The logic underlying property rights is really quite simple, as they allow members to control the
distribution of resources (Adler and Lapinski 1997; Weingast and Marshall 1988), place a
premium on the informational benefit of expert committees (Krehbiel 1991), as well as serving
as a tool for parties to promote their wide-ranging policy interests (Cox and McCubbins 1993,
2005; Rohde 1991). Consequently, committees, as first movers in the policymaking process
(Shepsle and Weingast 1987), protect and promote the interests of individual members, their
parent chamber, and political parties in the American context. The prerogative of the Speaker vis-à-vis committees has varied, of course. Strong parties may limit committee autonomy and work to the advantage of the Speaker’s discretion, while the “textbook era” of the U.S. Congress for much of the 20th century saw powerful, independent committees whose interests were largely shielded from the goals of party leaders (Aldrich and Rohde 1997-98).

While a small number of important works demonstrate the premium legislators place on committee assignments (see Escobar-Lemmon et al. 2001; Heath et al. 2005) and the role of legislative committees on policymaking in Latin America (see Londregan 2000, 2002), it is largely uninvestigated whether committees serve these roles in other presidential systems. The U.S. literature on the power of the Speaker examines changes over time and focuses on party homogeneity and polarization. Largely, though, the power of the Speaker is a function of the formal rules governing the Speakership and the amount of power legislators are willing to delegate to the position. When the Speaker’s interests coincide with most legislators’ interests, legislators will be more willing to delegate policymaking authority to the Speaker. The formal rules in many Latin American legislative chambers give Speakers similar powers in the legislative process, with most rules simply stating that the Speaker “assigns bills for study” and outlining the list of policies each permanent committee is supposed to control. If we assume Speakers are weak relative to parties and legislators, Speakers should assign bills to committees with purview over the policy area. However, the rules in Colombia, Costa Rica, and Venezuela grant the Speaker some discretion regarding bill assignments.3 Potential discretion on the part of the Speaker, that the Speaker is nearly always a member of the majority or plurality party in the legislature, that some committees are controlled by members of opposition parties, and the

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3 Colombia Ley Quinta—Por la cual se expide el Reglamento del Congreso; el Senado y la Cámara de Representantes. Art. 43; Costa Rica Reglamento de la Asamblea Legislativa Art. 66; Venezuela Reforma Parcial del Reglamento Interior y de Debates Del Senado de la República Art. 11.
limited staff and resources available to committees, may prevent committees and their members from developing strong jurisdictional norms over policy. Consequently, if such forces are at work, a bill’s content may be a poor predictor of the committee it is assigned to in the legislature. To examine whether bill assignment is a routinized process much like that in the U.S. House, we test the hypothesis that:

\[ H1: \text{Committees with jurisdiction over a bill’s content are more likely to be assigned the bill than committees without jurisdiction over a bill’s content.} \]

On a related note, while the Speaker may have discretion when assigning bills to committee, presumably this power is curtailed when it comes to high profile legislation. While it is difficult to determine, \textit{a priori}, what bills will be considered high profile the dominance of the president in the policy process provides some leverage (see Morgenstern and Nacif 2002). Given that presidents are viewed as the Chief Legislator, particularly in regards to economic policymaking (Stokes 2001; O’Donnell 1994; Dominguez 1998; Weyland 2002), and they are held responsible for the economy (Geddes 1994), committee jurisdiction may play a particularly important role in the bill referral process for the executive. The potential power of the Speaker to ignore committee property rights at the bill referral stage may simply be swamped by the power of the president. As a result, we examine whether:

\[ H1a: \text{Committees with jurisdiction over an executive-initiated bill’s content are more likely to be assigned the bill than committees without jurisdiction over a bill’s content.} \]

While property rights are key to understanding committees and bill referral in the U.S. Congress, several key works argue that the committee system is organized largely to reinforce partisan goals (Aldrich and Rohde 1997-98; Cox and McCubbins 1993, 2005; Rohde 1991). Committees’ first-mover status (see Shepsle and Weingast 1987; Aleman 2003) creates strong
incentives for institutional actors to behave strategically in the bill initiation (see Crisp and Ingall 2002) and referral process. This is especially true given that unlike its neighbor to the north, the majority (or plurality) party does not necessarily control the entire committee system. Rather, seats and committee chairs are awarded on a proportional basis, providing one of the important justifications for our work. The Speaker owes his position to those members of the legislature that placed him in office, particularly members of his party. Given the Speaker has potential discretion when assigning legislation, we might expect Speakers to guide legislation initiated by his allies, particularly his co-partisans, in the bill referral process. Therefore, we consider whether:

\[ H2: \text{Bills sponsored by members of the Speaker’s party are more likely to be assigned to committees dominated by co-partisans than bills sponsored by members of other parties.} \]

It is important to note that our hypothesis regarding jurisdiction and our hypothesis regarding Speaker discretion are not mutually exclusive.\(^4\) If a bill addresses multiple policy areas and could be assigned to multiple committees, the Speaker is likely to select one of the committees with jurisdiction, but select a committee controlled by his co-partisans, if possible.

A third consideration regarding bill referrals builds on the important concepts of universalism and logrolling (Weingast 1979; Collie 1988). Unlike the United States, the Colombian, Costa Rican, and Venezuelan legislatures all contained multiple political parties and given that committee assignments are awarded according to proportional representation rules, the Speaker’s party often fails to control a number of committees. Because the Speaker and his party need to move legislation through all permanent committees at some time, and it may be the case

\(^4\) This is particularly important in our analysis of the 2006-7 Colombian Chamber of Representatives. Nearly all bills initiated in this legislative session were assigned to committees with jurisdiction, but many potentially fell under the domain of multiple committees. Here we expect the Speaker to assign bills to the committee dominated by his co-partisans (where possible).
that parties to some degree coalesce on different issues, the norms of universalism may lead the Speaker to exercise discretion in order to help all legislators equally. Within this framework, bills that are initiated by the Speaker’s co-partisans, as well as those by members of other parties, are all more likely to be sent to committees controlled by the initiator’s co-partisans. Therefore, we test the hypothesis that:

\[ H3: \text{Bills are more likely to be referred to committees dominated by the initiators co-partisans.} \]

Just as committee property rights and the Speaker’s use of discretion to favor his co-partisans are not mutually exclusive, property rights and universalism may also be complimentary, rather than contradictory hypotheses.

Committee Reporting

While the examination of bill referral provides important insights regarding committee property rights in Latin America, it is only a portion of the story. Once the Speaker refers a bill to committee, the committee can either kill the bill or write a committee report and vote to send the bill to the floor for a vote by the entire chamber. So, what committee and bill characteristics affect the reception it receives? Just as Speakers depend upon formal rules and whatever power legislators delegate to them in order to accomplish legislators' interests, committees should work to benefit members' interests. If committees have significant property rights over their “turf” then partisanship, particularism, and other characteristics very likely govern decisions about bill disposition (Maltzman 1998). Most importantly, if committees have jurisdiction over policymaking and the Speaker sends the committee a bill that falls outside the committee’s

\[ 5 \] As an anonymous reviewer pointed out, referral of legislation to committees controlled by the same party as the bill initiator may not arise out of a universalistic organization of the legislature, but rather other factors such as a link between parties and certain issues that give rise to particular committees being more populated with members of one party.
purview the committee may be loath to report the bill to the chamber floor. This might even be a strategy used by the Speaker to prevent legislation from emerging from the committee for a floor vote. Regardless, if a bill is mis-assigned it should be less likely to survive the committee process. Therefore, we expect that:

\[ H4: \text{Bills that fall outside the jurisdictional purview of a committee are less likely to be reported to the floor.} \]

While jurisdiction likely affects bill reporting, we also expect that certain bill characteristics will affect committee decision-making. First, given the apparent dominance of the executive over the policymaking process (see Amparo Casar 2002; Siavelis 2002) we predict that executive-initiated legislation will be far more likely to survive the committee process than legislator-initiated bills. Presidents oversee enormous bureaucracies and the resources these imply, influence appropriations, inhibit the supply of pork, and control access to higher office and a host of other resources legislators care deeply about. Control of the bureaucracy even gives the president an advantage when it comes to writing complex statutes that may lie beyond the capacity of a legislator and her small staff. Consequently, we expect executive-initiated bills to receive a positive committee vote and be reported to the floor at a much higher rate than legislator-initiated bills. Furthermore, some scholars suggest that executives and legislators are held accountable for different things (Samuels and Shugart 2003). Given the president’s responsibility for the nation as a whole (Geddes 1994), and legislators’ responsibility for more particularistic policies (Crisp and Ingall 2002; Carey and Shugart 1995; Fenno 1978), we might also expect that executive-initiated bills that focus on national issues achieve greater success than executive-initiated bills that focus on more parochial concerns, while the inverse is true for legislator-initiated bills. As a result, we predict that:

\[ H5: \text{Bills initiated by the executive are more likely to be reported to the floor than} \]
bills initiated by legislators.

H5a: Executive-initiated bills that focus on national issues are more likely to be reported to the floor than executive-initiated bills that focus on parochial issues.

H5b: Legislator-initiated bills that focus on parochial issues are more likely to be reported to the floor than legislator-initiated bills that focus on national issues.

Alongside jurisdictional and separation of powers considerations, partisan theories (see, e.g., Cox and McCubbins’ 1993, 2005) regarding legislative organization and action also inform our work. In the U.S. Congress legislative parties organize their respective chambers in ways that bring about partisan benefits. An integral component of partisan organization is control of the committee system, which parties use to advance favored legislation and bottle up opponents’ proposals (Aldrich and Rohde 1997-98; Cox and McCubbins 1993, 2005; Rohde 1991). If this is in fact the case, we should expect to see members of the dominant party achieve greater success in bill reporting given the attention parties place on this stage of the legislative process. If this is not the case, and membership in the dominant party does not benefit members’ bills in committee, then the efficacy of parties in these legislatures is called into question. Thus, based upon the American literature, we hypothesize that:

H6: Bills initiated by members of the dominant party in the legislature are more likely to be reported to the floor than bills initiated by members of other political parties.

Similarly, committees may serve the partisan interests of their members, meaning committees may not serve the broader umbrella of partisan organization within the legislature. This is possible because unlike the U.S. Congress not all committees are controlled by the Speaker’s party. So, just as party theories predict legislatures will work to bring about partisan benefits at the chamber level, a similar logic could hold at the committee level since committees are simply micro-legislatures. In this context, we
would expect the interests of the party controlling the committee to dominate, rather than those of the dominant party in the legislature. Consequently, we consider whether:

\[ H7: \text{Bills initiated by members of the dominant party on the committee are more likely to be reported to the floor than bills initiated by members of other political parties.} \]

In sum, our hypotheses test the portability of institutionalist theories of congressional committees by examining the role the Speaker, of the president, and political parties in the policymaking process in Latin America.

**Data and Methods**

In order to test the hypotheses presented in the previous section we utilize two original datasets. The first is a sample of bills initiated in five legislative chambers across three countries: Colombia (1982-1998), Costa Rica (1982-1998), and Venezuela (1983-1998). These cover four separate legislative sessions in Colombia and Costa Rica, and three in Venezuela. We examine bill assignment and reporting patterns with an original dataset containing all bills relating to economic policies including: trade, domestic and international finance, the privatization of state-owned enterprises, taxes, and labor markets.\(^6\) We utilize these bills because they address the most important policy area (see Stokes 2001; Weyland 2002; IADB Various Years) during the time under study, namely the adoption and opposition to market-oriented economic policies (Lora 2001). As such, there were considerable incentives for Speakers to use their discretion to direct bills to “friendly” committees, either to promote preferred policies or kill undesirable policies. Furthermore, we include both executive and legislator-initiated bills, as well as bills that are market-oriented and state-oriented. Our dataset includes 257 individual bills at the

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\(^6\) Bill data was collected at the Archivos Legislativos in Colombia and Costa Rica, the Biblioteca Presidencial in Colombia, and the Sevicio Autonomo de Información Legislativo in Venezuela.
assignment phase and 220 bills at the reporting phase.\(^7\)

We use these legislatures for theoretical and practical reasons. First, the committee system in each country is clearly delineated and the Speaker assigns bills to committees. The rules allow some discretion regarding bill assignments, simply stating that the Speaker “assigns bills for study”.\(^8\) Second, while the party systems in all three countries were dominated by two large parties for much of the period under study, all three systems underwent substantial fragmentation, increasing the diversity of committee leadership. In fact, while the Speaker’s party dominated about 70 percent of the legislative committees, other parties dominated nearly 30 percent of the committees, offering both the opportunity and the incentive for the Speaker to exercise discretion over policy, rather than simply assigning legislation based upon property rights. Third, severe economic fluctuations occurred in all three countries, potentially creating additional incentives for the Speaker to utilize discretion. Consequently, the political and economic changes experienced in Colombia, Costa Rica, and Venezuela offer a difficult test of the institutional theories regarding legislative committees’ role in the policymaking process.

To account for the possibility that the subset of legislation focusing upon economic policy changes is somehow unusual, we collected a second sample of bills. This includes all bills initiated during the 2006-7 legislative session in Colombia's lower house, the Chamber of Representatives. We utilize these bills because they offer particular insights into the power of the Speaker and parties to use the committee system to their advantage. This is due in part to the fact that the Speaker was not a member of the largest party in the legislature, meaning the power of the Speaker should be quite constrained. Additionally, increased fragmentation in Colombia's party system led to considerable fragmentation in the control over congressional committees. Of

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\(^7\) Thirty-seven bills are not included in our bill reporting analysis due to lack of data on either the bill or the committee.

\(^8\) See fn. 3.
the seven permanent committees, five parties held committee chairs and one committee even saw three parties tied for the plurality of seats. On the one hand, this fragmentation creates significant incentives for the Speaker to utilize discretion to achieve his policy preferences. On the other, given he owed his position to a number of parties, high fragmentation may also tie the Speaker's hands. Finally, this highly fragmented system may increase the importance of bill characteristics at the bill reporting phase.

Given the Speaker’s potential discretion when assigning bills, each bill could, in theory, be assigned to any committee, so our unit of analysis for bill referral is the bill-committee dyad. Much like conflict analysis conducted in international relations, dyadic analysis allows us to incorporate particular characteristics of the unique bill-committee pairing (such as whether the partisanship of the committee and bill initiator match), while accounting for potential heterogeneity across the observation level. This is the most appropriate method for determining whether bills are assigned based upon the Speaker's power to promote co-partisan sponsored legislation, the president's dominance of the policymaking process, or the parties and legislators power to promote member's interests. If the Speaker assigned a bill to the Finance Committee this dyad is scored a one and all others are scored a zero on the dependent variable. A small number of economic bills were assigned to special committees, but we unfortunately lack information on committee membership, so we exclude these bills from the analysis. In order to test our hypotheses regarding bill reporting we simply constructed a dichotomous variable for whether or not the bill was reported to the floor.

To determine whether property rights affect bill assignments we needed information on committee jurisdiction and on the bill’s content. First, we consulted each legislative chamber’s

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9 Ironically, when the Speaker most benefits from the discretionary provision he may least be able to capitalize upon it.
committee structure and each committee’s jurisdiction over different policies. Next, we read each bill’s content and then classified it as either falling under a committee’s purview or not. For example, all bills that involved trade agreements with foreign nations fell under the purview of the Second Committee in Colombia (International Politics and Defense), International Relations in Costa Rica, and Exterior in Venezuela. Many bills potentially fell under the jurisdiction of multiple committees. Consequently, each bill-committee dyad that holds potential jurisdiction is scored as a “1” on Committee Purview. For example, bills that address taxes on agriculture could be assigned to either economic committees like Budget or Finance, or to the Agriculture committee. We use this dummy variable to determine whether bills are assigned based upon jurisdiction or upon other factors, as well as whether bills that are assigned to a committee without jurisdiction are more or less likely to survive to reach the floor.

In order to test theories regarding the institutional effects of parties on the bill referral and reporting process we recorded the party identification of each bill’s initiator and the party composition of each committee in the legislature. First, for our analysis of economic legislation we recorded a simple dummy variable for whether the Speaker’s party controls a plurality or majority of the seats on the committee for the analysis of economic legislation. Recall that committee assignments are determined based upon proportional representation, and opponents of the Speaker dominate 28 percent of all committees included in this sample. Ideally, we would also include a dummy for whether the Committee Chair was a member of the Speaker’s party, but this data was not available for each country in our sample of economic bills. For the

10 In Colombia separate committees address taxes (Tercera) and the budget (Cuarta), while in Costa Rica there are separate committees that address the economy and the budget. In Venezuela the Finance Committee held jurisdiction over both budget and finance issues.
11 Committees are reformed every year in Colombia with a floor vote determining committee assignments. Additionally, we would like to test whether ideology, and not just party, affects where Speakers assign bills. Unfortunately, the dominant party on the committee always coincides with the
analysis of the 2006-7 Colombia session we did obtain data regarding the partisan identification of the Committee Chair, so we use this as our measure of committee domination. We choose not to use pluralities in this case because two committees had multiple parties tied with the same number of seats, though using a dummy for all pluralities actually improves our models slightly (not reported). The measures just described produce our variable indicating a Committee Dominated by the Speaker. To capture whether the Speaker operates with an eye to cross-partisan considerations, we also code those cases in which the bill’s sponsors and the dominant contingent on a committee are of the same party (Committee Dominated by Initiator’s Co-partisans).

To account for the president's role as the Chief Legislator and the potential advantage that may provide at all steps in the legislative process, we also created a dummy variable for bills initiated by the executive branch. While this measure does not appear in the models, it allows us to partition the data into sub-samples to determine whether the partisan and political dynamics differ based on the source of legislation.

In order to test our hypotheses regarding bill reporting we utilize some of the previously mentioned variables, as well as additional bill and committee characteristics. First, to test whether property rights affect bill survival we utilize the dichotomous Committee Purview variable that pairs committee jurisdiction with bill content to identify cases where they match. According to the prevailing literature bills sent to the “wrong” committee should meet a quiet doom. In our analysis of the 2006-7 Colombian bills only eleven bills were assigned to committees without purview and just three survived in committee. Consequently, we exclude Committee Purview from this analysis.

dominant ideology on the committee, so we cannot determine whether ideology plays an independent role (apart from party).
Second, we recorded whether a bill’s sponsor was a member of the Speaker’s political party (the variable *Initiated by Dominant Party in the Legislature*). The third variable included in the model of bill reporting identifies whether the bill’s sponsor and the dominant party on the committee matched, as described above (*Committee Dominated by Initiator’s Co-partisans*).

Lastly, in order to test whether accountability theory (Samuels and Shugart 2003) leads presidents to focus on nationally-oriented legislation while legislators focus on more parochial concerns, we include a measure of the scope of the legislation (Taylor-Robinson and Diaz 1999). Bills were classified as national, sectoral, or geographic depending on their focus. National bills, which comprise our baseline category, affect the entire nation, such as international trade agreements or broad changes in the tax code. For example, the bill titled the “Law to Reduce the Internal Debt without Privatizing Assets” in Costa Rica (*Gaceta 229* of 10/27/1997) prohibited the government from privatizing social security. *Sectorally-Oriented Legislation* benefits a particular industry or organization. Measures such as the Colombian bill to “Exclude the Sales Tax on the Sale of Tickets to Enter Sporting Events” (*Gaceta 15/1993*) were clearly designed to help specific industries. Finally, *Geographically-Oriented Legislation* targets a particular area of the country. The Venezuelan bill “Partial Reform of the Decree Law that Established the Tax on Sumptuary Consumption” (*Gaceta Oficial 4793* ext. 07/06/1994) eliminated the tax on electricity in the state of Zulia due to the region’s hot climate, while the Costa Rican bill creating the “Regime of Free Trade Zones” (*Gaceta 238* of 12/14/1990) created a series of geographically defined areas that allowed for the establishment of Mexican-style maquilas. These categories test whether committees promote legislators’ parochial interests.

12 See Appendix A for a discussion of Taylor-Robinson and Diaz's (1999) coding scheme. Taylor-Robinson and Diaz (1999) divide geographically aimed legislation into regional and local categories. Given our interest in the effect of pork-barrel legislation on bill reporting we gain no additional leverage by separating these into two categories. They also include a category for bills aimed at a single individual or organization. There are none of these in our dataset.
Given the dyadic nature of our bill assignment data and the dichotomous nature of our bill reporting data we utilize logistic regression with robust standard errors for both sets of models. Since each bill-committee dyad appears multiple times in our models of bill assignment the standard errors are clustered on the bill for these models. In our analysis of economic legislation we have 2082 dyadic observations, with 1179 legislator-initiated observations and 903 executive-initiated observations. Given bills can only be reported out of the committee they are assigned to we have reporting data on 220 individual bills, with 122 of these bills initiated by legislators and 98 bills initiated by the executive branch. Our second data set of the 2006-7 Colombian lower house contains 134 bill-committee dyads and 201 legislator-initiated bills. We do not include executive-initiated bills because the executive branch only initiated 17 bills, making statistical analysis impractical.

**Data Analysis and Discussion**

What determines bill assignment and reporting? Do committees possess property rights or does the Speaker utilize discretionary power? Do initiator or bill characteristics affect bill survival? In Model 1 of Table 1 we test the effect of property rights and discretion on legislator-initiated economic bills. We see that property rights have a strong and statistically significant effect on bill assignment. The baseline probability that the Speaker assigns a legislator-initiated bill to a committee is about 8 percent, yet for committees that hold purview this probability increases to 39 percent, meaning committees with property rights are far more likely to be

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13 We also conducted estimates using a Heckman model, as the factors guiding bill assignment may create selection effects related to bill reporting, but post-estimation tests indicated such models were unnecessary.

14 This seemingly small number is a function of the fact that we found committees exercised very strong property rights at this time. Nearly all of the 201 legislator-initiated bills were assigned to a committee with some jurisdictional claim. Of these, only 59 could have potentially been assigned to more than one committee. Consequently, we limited bill-committee dyads to committees with potential jurisdiction, and not all committees.
assigned the bill. Model 2 tests the impact of property rights on executive-initiated bills and we find an even stronger effect for property rights. For the executive model the baseline probability of assigning an executive-initiated bill to a committee is about 7 percent. This increases to 56 percent if the committee holds jurisdiction. Consequently, executive-initiated bills are even more likely to go to the “right” committee than bills initiated by legislators. Model 3 tests the effect of property rights over the combined sample and again we find a strong positive effect for committee purview. Given there are usually no more than two or three committees that hold possible jurisdiction we can safely conclude that despite the perception of weak committees, property rights play an enormous role in the assignment of bills, supporting our first hypothesis.

[Table 1 about here]

While committees clearly demonstrate strong property rights in these models we also find evidence that the Speaker uses some discretion when assigning bills. First, we see in all three models that Speakers are more likely to assign economic bills to committees where their co-partisans dominate than to committees controlled by other parties. As shown in Table 2, for bills assigned to the “wrong” committee the probability of receiving a bill increases from about 4.7 percent to nearly 5.9 percent for legislator-initiated bills. For executive-initiated bills this effect is more pronounced. Committees without jurisdiction that were dominated by opponents of the Speaker have about a 2 percent chance of receiving the bill. This climbs to over 5 percent when the Speaker’s co-partisans dominate the committee. More importantly, for bills falling under the committee’s purview the probability of assignment is nearly 66 percent when the Speaker’s party controls the committee, but only 39 percent when the Speaker’s party does not control the committee. We see the overall effect essentially splits the difference between these two models.

\[15\] All percentages are calculated using the prvalue command in Stata 10, setting all other variables to their mean (or modal) value.
(see Model 3). So, Speakers clearly utilize discretion—assigning economic legislation to committees controlled by their allies, supporting the theory that committees work to forward the partisan goals of key institutional actors.

[Table 2 about here]

Second, we see conflicting evidence regarding the use of discretion by Speakers to assign bills to committees controlled by the bill initiator’s party. The coefficient for legislator-initiated bills is positive, but not statistically significant (see Model 1). In contrast, the coefficient for executive-initiated legislation is negative and significant. Substantively, these effects are quite small.\footnote{Surprisingly, when all bills are considered there is a positive and significant effect, meaning bills are slightly more likely to be assigned to a committee dominated by the initiator’s party (see Model 3).}

The analysis of the 2006-07 Colombian Chamber (see Model 4) reveals a similar picture. A key difference between this session and those presented in our earlier results is that the Speaker is not from the plurality party. As such, we have a unique opportunity to further discern the interplay between the Speaker, committee leadership, and partisanship. Also, Colombia appears to have the strongest jurisdictional apparatus in that almost without exception, bills were referred to committees with purview. As such, the purview variable is excluded from this analysis since there is no meaningful variation to explain.

With respect to the bill assignment process, control of the committee by the Speaker’s party did not exhibit an effect that is statistically significant at conventional levels. Recall, control of the committee is measured more directly here, in terms of control of the levers of

\footnote{For bills outside the committee’s purview the probability of assignment goes from about 5 percent down to under 4 percent, while for bills falling within the committee’s jurisdiction the probability of assignment moves from 64 percent to 58 percent. This indicates Speakers exercise discretion when assigning executive-bills, but unlike above, where Speakers assign bills to committees controlled by their co-partisans, here they exercise discretion to send executive bills to unfriendly committees.}
committee power—the committee chairmanship. This finding squares with the conditional
good nature of party government, although in this case, the conditionality arises from the fact that the
Speaker’s reliance on multiple parties appears to prevent his use of discretion. In much the same
way that party leaders in the U.S. are constrained when their party is not homogenous, the
Colombian Speaker appears to be more limited when his coalition of support comes from
multiple parties. Simply put, Speakers cannot afford to run rough-shod over the committee
system. Instead, the match between the party of the bill initiator and that of the committee chair
affects bill assignment ($p=0.06$). The substantive effect is striking, as well—the likelihood of
referral increases from 43 percent to 65 percent when the party of the initiator corresponds to that
of the committee chair. Recall that this is after accounting for purview (which is essentially
never violated), meaning when discretion is exercised, it enhances the interests of the chamber’s
parties, not a single dominant party.

Taken together, these models clearly support the hypothesis that committees exercise
property rights over legislation, but also support the hypothesis that Speakers utilize some
discretion. When multiple committees hold jurisdiction the Speaker selects committees
controlled by his co-partisans when he is strong, and refers bills to committee chairs that are
likely to be friendly for the bill initiator when he is weak. In sum, jurisdiction and partisan
theories explain the bill referral process in much the way the American literature predicts.

Turning our attention from bill assignment to bill reporting, we examine theories
regarding the effects of bill and initiator characteristics on economic bills in Models 5-7 (see
Table 3). First, we see that property rights play not only a key role in the bill assignment
process, but also in the bill-reporting phase. The effect of committee purview is positive and
significant for legislator-initiated bills. In practical terms only about 8 percent of legislator-
initiated bills are reported out of committee when the bill falls outside the committee’s purview. This figure climbs to nearly 38 percent for bills falling within the committee’s jurisdiction. Model 6 shows this relationship also holds for executive-initiated bills. Executive-initiated bills sent to a committee without jurisdiction are only reported to the floor about 14 percent of the time, while those sent to committees with purview are reported a startlingly high 78 percent of the time (see Table 4). Model 7 shows this relationship holds across all bills. This comports with King's (1997) finding that claiming jurisdiction is essential for committees, and committees act to maintain their “turf”. In sum, our models suggest that Speakers may utilize discretion in order to stop economic legislation.

While purview is a strong predictor of bill reporting, committee and initiator characteristics have little effect on the reporting of economic legislation. The coefficients for bills initiated by members of the dominant party in the legislature are positive in two of the three models, but not statistically significant. Similarly, the coefficients for bills initiated by members of the dominant party on the committee are positive, but also insignificant. In short, having co-partisans run the legislature or the committee does not advantage legislators or the executive branch. This stands in stark contrast to the American literature regarding the partisan nature of legislative politics, in which members of the majority party are significantly advantaged in the process of “winnowing” legislation through the committee system (Krutz 2005).

While committee characteristics play no role in the reporting process, bill characteristics do affect the likelihood of reporting. In Model 5 we see that legislator-initiated economic bills that target a particular geographic area are far more likely to survive the committee process, supporting the literature regarding the role of parochial concerns in legislative organization. In
practical terms, for bills assigned to committees with jurisdiction, the corresponding percentages are 36 for non-geographically targeted bills and a remarkable 74 for geographically targeted bills. In short, among legislator-initiated bills, geographically-targeted, parochial legislation is much more likely to survive the committee process.

In contrast with legislator-initiated bills, parochially targeted economic bills written by the executive are much less likely to survive the committee process (see Model 6). Executives initiated only one geographically targeted bill, a Costa Rican bill designed to create free enterprise zones in the south (Gaceta 227 of 11/27/1985). In contrast to a similarly designed legislator-initiated bill, the president’s bill died in committee. Consequently, this bill perfectly predicts failure. Executives also initiated 20 sectorally-targeted bills and the associated coefficient is negative and significant. Here we see that committees report 82 percent of nationally-oriented bills when the committee holds jurisdiction, but only 54 percent of sectorally-oriented bills. In sum, committees have strong gatekeeping authority over parochial legislation, pushing through legislator-initiated bills, while inhibiting executive-initiated bills. This holds even though only Colombian legislators have strong electoral incentives to initiate parochial legislation.

We turn next to the analysis of the bill reporting process for the Colombian 2006-07 legislative session (see Table 3, Model 8). Just as in the preceding models, whether the bill was initiated by a Liberal (the largest party in the legislature) had no discernible effect on its likelihood of being reported—a result which casts doubt on a top-down, plurality party story of chamber dominance. Rather, Colombia's multiparty legislature appears to encourage the carving out of centers of power within the committee system. That is, when a bill was initiated by a co-

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17 Once again, because purview nearly completely determines referral, we omit this variable from the analysis and proceed by looking at the remaining committee and bill-specific measures.
partisan of the committee chair, the likelihood of it being reported increased by about twelve percentage points ($p = 0.06$, one-tailed test). This contrasts somewhat with our earlier findings regarding bill reporting, though this does, in fact, support our hypothesis. While the Speaker may guide economic legislation to friendly committees, here we see committee chairs guide friendly legislation through the committee process. Complementing our previous finding, we see that sectorally-oriented legislation had a ten point increase in the likelihood of being reported, while geographically-oriented bills were about fifteen percentage points more likely to be reported (in each case, $p < 0.10$, one-tailed test). In short, during this legislative session partisan control over committees and bill content significantly influenced bill reporting as the U.S. literature predicts.

Overall, our results regarding bill reporting have important implications for students of policymaking in Latin America. As expected, executive-initiated bills were highly likely to survive the committee process, though this was conditioned by the scope of the legislation. This comports with the literature's focus on the president as the Chief Legislator. However, our findings also indicate that legislators and committees exert significant influence over the policymaking process. They are not simply reacting to or blocking executive policy initiatives, but initiating policies of their own. Furthermore, much of the legislation initiated by legislators survives the committee process. Consequently, studies that ignore legislators in the policymaking process, or treat them simply as obstacles for executives to overcome, are missing key dynamics relating to economic policymaking in Latin America.

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18 When the model is estimated with the alternative definition of committee dominance—whether the initiator’s party had a plurality on the committee—the results for this variable as well as geographically-oriented bills are virtually the same substantively (eleven percent and 17 percent) and statistically ($p = 0.04$ for both in a one-tailed test).
Conclusions

The American literature on legislative committees shows clear and consistent results regarding the importance of congressional committees. Committees possess property rights, act as policy gatekeepers, and send important signals to the floor of Congress. However, to our knowledge there is no systematic study testing the determinants of bill assignment in the U.S. context. Furthermore, while the Latin American literature regarding legislatures increasingly demonstrates the importance of the legislature in the policymaking process (though often as a largely reactive force), the literature on committees is inchoate. We build upon these literatures by offering original tests of the determinants of bill assignment and bill reporting to examine the role of committees in the policymaking process in Latin America. Our findings have important implications for those studying executive-legislative relations, as well as policymaking more generally.

Our results indicate committees exercise clear property rights in Latin America. The Speaker of the legislature is far more likely to assign bills to committees with jurisdiction than to committees without purview. However, jurisdiction is not the only factor that determines bill assignment. Committee assignments in multiparty presidential systems do not guarantee that the Speaker’s co-partisans control every committee and we find Speakers utilize discretion based upon partisan factors. This should reassure institutional scholars of Latin American politics, particularly those focused on legislative institutions.

Our findings also indicate that property rights have a strong effect on bill survival. When the Speaker assigns a bill to the “wrong” committee, it essentially kills the bill. Additionally, while committees clearly exercise property rights over legislation, legislators appear to exercise property rights over parochial legislation. This supports the extant literature's claim that voters
want different things from presidents and legislators. In sum, committees exercise jurisdiction over policy and legislators exercise jurisdiction over parochially-aimed legislation.

Finally, we believe our findings highlight the importance of additional studies of the effect of legislative committees (and Speakers) on the policymaking process in presidential systems outside the United States. Just as the explosion in studies of Latin American legislatures stretched and expanded our understanding of electoral rules and legislator behavior, future studies offer significant opportunities to expand our understanding of legislative committees. How do variations in electoral rules, committee property rights, Speaker discretion, and committee composition affect the assignment and reporting process across presidential systems? After all, if legislators care so much about their committee assignments (Amorin Neto 2002; Heath, Schwindt-Bayer, and Taylor-Robinson 2005; Schwindt-Bayer 2006) committees must provide legislators with important resources. So, while we provide an important initial test, this area offers significant opportunities for additional research.
Appendix A: Detailed Coding Scheme for “Level” of Legislation

Following the logic of Taylor-Robinson and Diaz (1999) we classified all bills according to the immediate subject of a bill. While they include five categories (national, regional, sectoral, local, and individual), we limit our classification to national, sectoral, and geographic. There was only one individual bill in our data and its provisions to provide revenues for construction projects honoring a recently deceased legislator we scored this bill as geographically-oriented. The coding of the various categories is as follows:

Nationally-Oriented—trade agreements with foreign nations; granting of most-favored national status; limits on hours worked; extends unemployment benefits; increases social security contributions; increase in business tax rate to cover budget deficit; lowers sales tax; revisions to overall tax code; joins GATT/WTO; sets the exchange rate; sets minimum wage; guarantees for workers regarding special wages for transportation and food; sets labor contract lengths/number of temporary contracts allowed

Sectorally-Oriented—lowers taxes on sporting events; eliminates taxes on mortgage certificates; sets maximum tax rate for coffee producers; exempts farm equipment from import taxes; exempts media from sales tax; mandates credits to power generators; frees interest rates banks may charge; exempts TV stations on import taxes; lowers banking reserves requirements; repeals import taxes on vehicles used in tourism industry; exempts farmers from VAT on herbicides and pesticides; forgives coffee farmers interest payments due to poor weather

Geographically-Oriented—creates free enterprise zone in South; provides for bonds for University; provides budgeted funds for University; celebrates the founding of a particular town
and provides infrastructure projects in said town; exempts state of Zulia from energy tax due to 
hot climate; tax exemption on farm equipment in area affected by volcanic eruption; state 
assumes liability for pensions in state of Choco; eliminate taxes in the Amazon region
Appendix B: Country-by-Country Analysis of Economic Bills

In this appendix, we present estimates for bill assignment and bill reporting for each country in our analysis. The results allow an assessment of the degree to which our findings hold across the nations comprising our sample. We look first at bill assignment, where our primary conclusion is that purview is the central factor explaining the referral of legislation to committees. This dynamic clearly holds for Colombia, Costa Rica, and Venezuela individually, as well. In fact, only a single bill was referred to a committee without jurisdiction in Colombia, and for Venezuela, purview is a perfect predictor (and as such, is dropped from the model estimates presented below in Table A1). In the case of Colombia and Venezuela, we are also unable to estimate the effect of the indicator Committee Dominated by the Speaker due to a lack of variation. Otherwise, the estimates reported here are in no case inconsistent with the pooled models presented in the paper. Of course, it is more difficult to uncover statistically significant results with small samples such as these, so we are especially confident of the central result in light of this.

| Table A1: Determinants of Bill Assignment by Country |
|---------|-----------------|-----------------|-----------------|
|         | Model 1 Colombia | Model 2 Costa Rica | Model 3 Venezuela |
| Committee Purview | 7.48*** (1.16) | 1.74*** (0.19) | — |
| Committee Dominated by the Speaker | — | 0.16** (0.06) | — |
| Committee Dominated by Initiator’s Co-partisans | 0.27 (0.41) | 0.20** (0.07) | 0.30† (0.18) |
| Constant | -6.23*** (0.12) | -2.73*** (0.09) | -3.33** (0.12) |
| N-Size | 505 | 1385 | 204 |
| Log likelihood | -50.10 | -441.11 | -93.25 |
| Wald $\chi^2$ | 43.33** | 89.59*** | 2.60† |

Note: Logit coefficients with robust standard errors in parentheses and clustering on bill. † $p \leq 0.10$ * $p < 0.05$ ** $p < 0.01$ *** $p < 0.001$
Table A2 below displays the estimates for the bill reporting models. Here again, the results with regard to purview are robust. In the case of Colombia, purview is dropped because it is a perfect predictor. The effect in Costa Rica is in line with the estimates for the pooled model presented in Table 1 of the paper. As in Table 1, the bill and initiator characteristics do not display any noticeable patterns for Colombia or Costa Rica. Due to the relatively small number of observations for Venezuela, we were unable to estimate a full model. But we can say a few descriptive points about the Venezuelan data—sectoral bills perfectly predict failure, while geographic bills perfectly predict success.

<table>
<thead>
<tr>
<th>Table A2: Determinants of Bill Reporting by Country</th>
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<tbody>
<tr>
<td>Model 4</td>
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<tr>
<td>Colombia</td>
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<tr>
<td>Committee Purview</td>
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<td>Initiated by Dominant Party in the Legislature</td>
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<tr>
<td>Committee Dominated by Initiator’s Co-partisans</td>
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<tr>
<td>Sectorally-Oriented Legislation</td>
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<tr>
<td>Geographically-Oriented Legislation</td>
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<tr>
<td>Constant</td>
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<tr>
<td>N-Size</td>
</tr>
<tr>
<td>Log likelihood</td>
</tr>
<tr>
<td>Wald χ²</td>
</tr>
</tbody>
</table>

Note: Logit coefficients with robust standard errors in parentheses. * p < 0.05 ** p < 0.01 *** p < 0.001
References


Table 1: Determinants of Bill Assignment

<table>
<thead>
<tr>
<th></th>
<th>Economic Bills</th>
<th>Colombia 2006-07</th>
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<tbody>
<tr>
<td></td>
<td>Model 1</td>
<td>Model 2</td>
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<td></td>
<td>Legislator-</td>
<td>Executive-</td>
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<td>Initiated Bills</td>
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<td>(0.27)</td>
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<td>(0.15)</td>
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<td>Committee Domated by the</td>
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<td>-0.27**</td>
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<tr>
<td>Initiator’s Co-partisans</td>
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<td>(0.10)</td>
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<tr>
<td>Constant</td>
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<td>-3.77***</td>
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<td>(0.13)</td>
<td>(0.25)</td>
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<td>903</td>
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<td>Log likelihood</td>
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<td>-232.99</td>
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<td>Wald χ²</td>
<td>133.51***</td>
<td>173.75***</td>
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Note: Logit coefficients with robust standard errors in parentheses and clustering on bill.  
† p < 0.10 * p < 0.05 ** p < 0.01 *** p < 0.001
### Table 2: Predicted Probabilities Associated with Bill Assignment

<table>
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<th></th>
<th>Legislator-Initiated Bills</th>
<th>Executive-Initiated Bills</th>
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<tr>
<td>Not Dominated by the Speaker’s Party</td>
<td>4.7</td>
<td>40.4</td>
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Note: All other variables are set to their mean value.
Table 3: Determinants of Bill Reporting

<table>
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<th>Committee Purview</th>
<th>Economic Bills</th>
<th>Colombia, 2006-07</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Model 5</td>
<td>Model 6</td>
</tr>
<tr>
<td></td>
<td>Legislator-Initiated Bills</td>
<td>Executive-Initiated Bills</td>
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<tr>
<td>initiated by</td>
<td>1.96**</td>
<td>3.06***</td>
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<td>(N=65)</td>
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<td>(0.71)</td>
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<tr>
<td>initiated by</td>
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<td>dominant party in</td>
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<td>legislature</td>
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<td>(1.03)</td>
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<td>dominated by</td>
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<tr>
<td>initiator's</td>
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<tr>
<td>co-partisans</td>
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<td>(0.65)</td>
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<td>sectorally-oriented legislation</td>
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<td>-1.36*</td>
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<tr>
<td>(N=50)</td>
<td>(0.50)</td>
<td>(0.64)</td>
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<tr>
<td>geographically-oriented legislation</td>
<td>1.63†</td>
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<tr>
<td>(N=90)</td>
<td>(0.90)</td>
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<tr>
<td>constant</td>
<td>-2.69***</td>
<td>-2.29*</td>
</tr>
<tr>
<td></td>
<td>(0.78)</td>
<td>(1.16)</td>
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<td>N-size</td>
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<td>wald χ²</td>
<td>15.75**</td>
<td>25.7***</td>
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</table>

Note: Logit coefficients with robust standard errors in parentheses and clustering on committee. † p < 0.10 * p < 0.05 ** p < 0.01 *** p < 0.001
Table 4: Predicted Probabilities Associated with Bill Reporting

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<th>Legislator-Initiated Bills</th>
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<td></td>
<td>Without Purview</td>
<td>With Purview</td>
</tr>
<tr>
<td>Purview</td>
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<td>37.8</td>
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<td>Nationally Targeted Legislation</td>
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<td>Parochially Targeted Legislation</td>
<td>28.5</td>
<td>73.9</td>
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Note: All other variables are set to their mean value.