STATE LEGISLATIVE POWER: LEGISLATIVE ASSEMBLIES OF PARÁ AND AMAZONAS IN A COMPARATIVE STUDY (1991-2020)

Rodolfo Silva Marques¹
Breno Rodrigo Messias Leite²
André Silva de Oliveira³

Abstract: This paper analyzes, in a comparative way, the legislative power in the states, from the two largest federative units in Brazil - Amazonas and Pará, neighbors of the North. In addition to the comparative study, in this article, the methodological paths of the literature review and the historical and documentary records of the facts are used. As a theoretical basis, the literature that deals with legislative power in general and in the state spheres is used. The axes of local politics and relations between Executive and Legislative in Pará and Amazonas are approached. Based on a comparative study method of an exploratory nature, with the literature review, variables such as the processes of formation of the state Constitutions, the internal regulations and the Standing Committees of the Houses are used. Important concluding features of the present research are identified: the adequacy to the Federal Constitution, some role of the state parliaments and relations of more alignment with the Executive.

Keywords: Comparative study; Legislative Assemblies; Variables; Pará; Amazon

1 Introduction

Brazil has 1,060 state deputies. The number of parliamentarians in each legislative assembly has a direct relationship with the number of federal deputies, as both depend on population-voting indexes in each federal unit. The two states chosen for this study, Pará and Amazonas, present different realities in relation to the general number of parliaments in each state. Pará has forty-one state deputies (ALEPA) and seventeen federal deputies. Amazonas has twenty-four state deputies (ALEAM) and eight federal deputies — the minimum number of parliamentarians required per state in the Chamber of Deputies (PEREIRA, 2001).


Within this discussion, and based on the regime of separation of powers, as described by

¹Professor of undergraduate and graduate courses at the University of Amazonas (UNAMA) and undergraduate courses at the Faculty of Advanced Studies of Pará (FEAPA). Doctor in Political Science from the Federal University of Rio Grande do Sul (UFRGS); Master of Political Science from the Federal University of Pará (UFPA).
²Professor of the International Relations course at Faculdade La Salle (AM). Master of Political Science from the Federal University of Pará (UFPA).
³Doctor of Political Science from the Federal University of Pernambuco (UFPE); Master of Political Science from the Federal University of Pará (UFPA).
Montesquieu (2007), it starts from the premise that there are three branches of power in every Nation-State, each with its respective responsibilities: the Executive Branch (to implement and administer proceedings), the Legislative Branch (to elaborate and manage rights and laws, as well as supervise the actions of the executive branch) and the Judiciary (to interpret civil and criminal rights).

According to Santos (2001) and Tomio (2006), both at the national level in Brazil and its federation of states, great similarities can be seen between the transfers of responsibilities from the legislative to the executive and the patterns of interaction between both branches (SPOHR and SILVA, 2016).

It is something that should always be revisited in the field of constitutional studies as well as in the political structure of Brazil: the idea that, at the federal level, there are two legislative bodies (the Chamber of Deputies, representing the people, and the Federal Senate, representing the states); and, in the state political arenas, it is only the legislative assemblies that emerge as the unicameral representative body within the specific functions of state parliament (TOMIO and RICCI, 2008).

On the website of the Chamber of Deputies itself (BRASIL, 2020a), there is an emphasis on the premise of the functions and responsibilities of the legislative assemblies of the twenty-six Brazilian states and the parliament of Distrito Federal. Deputies vote on state budgets, propose laws and have the prerogative to implement, through complementary laws, metropolitan regions, urban agglomerations and micro-regions for the planning and feasibility of public functionality that share a common interest (TOMIO and RICCI, 2012). Demands such as the protection of the environment, the collective interests of a state, and the production and consumption of goods and services are among the tasks of the legislative assemblies (BRASIL, 2020b).

In this context, the Legislative Branch consolidates itself as the will of the people, in which the representatives elected by the people propose and vote on the rules and laws that will be abided by all; the Executive Branch, with the persons elected to exercise the directive guidelines of the nation's destinies; and the Judiciary Branch, as the supervisor of the Constitution and the Democratic State of Law (DAHL, 1989; AMORIM NETO, 1998).

Included among the main tasks of the legislative houses of the states is the supervision of the Executive Branch and the use of public resources; the formulation, modification and creation of laws; and, in the foreground, the representation of the interests of the people and its voters. These are premises contained in the Federal Constitution of Brazil, and in the Constitutions of the states of Pará and Amazonas, as well as in the Constitutional Charters of the other states (federative units) (PARÁ, 1989; AMAZONAS, 1989).

In the study coordinated by Santos (2001) and within this context, based on a survey carried out by several researchers on the Legislative Assemblies of the states, two scenarios are visualized: the preponderance of the Executive Branch in some states evaluated at that time, such
as Ceará and Rio Grande do Sul; and the balance between the legislative and executive powers, in states such as Minas Gerais and Rio de Janeiro. This and other studies invoke an important perception of the decision-making dynamics of legislative assemblies and their correlation with the governors in their respective mandates.

Despite all the support and responsibility provided for in the states’ Constitutions, the state executive branches have their own limitations regarding their territories, with the patterns of political competition, for instance, with the Legislative Branch’s institutional development—and their activism for a more effective and concrete way forward (GROHMAN, 2001; SANTOS, 2001; PEREIRA, 2020).

Legislative activism, in its different aspects, and in reference to its interactions with the Executive Branch, reveals an institutional bias that can be articulated from parliamentary blocs, both at the federal level and in the state spheres, even generating occasional confrontations in the negotiation of relevant agendas (TATAGIBA and TEIXEIRA, 2016; PEREIRA, 2020). The structure and functioning of state legislative powers—and the requirement for brake systems and counterweights, figuratively speaking, in view of the interactions between the executive and legislative powers are a constant focus of scientific research and studies (ANASTASIA, INÁCIO and NOVAIS, 2006).

Thus, the present work seeks to provide a comparative study of the legislative power in the Brazilian states, electing as the unit of analysis the two neighbors of the northern region—Pará and Amazonas. The two states are the most important in the Amazonia Legal, comprising 33% of the national territory. In addition to the comparative study, methodological paths of literature review on the Legislative Branch were used in the development of the study, along with some essential references, in addition to the presentation and analysis of historical and documental records on the facts that permeate the formation of both state assemblies.

The scope and objectives of the research are focused on a comparative study primarily exploratory in nature, with a review of available literature and background on the institutional formation of the Legislative Houses in Pará and Amazonas. The time frame is set between 1991 and 2020, considering the first legislatures’ entry into force at the advent of the 1988 Magna Carta and the state constitutions, respectively.

The main focuses of this article are on local political action and observance of the relations between the legislative branch and the executive branch during the period analyzed. The comparison variables are the formation processes of the constitutions of Pará and Amazonas, the Standing Rules, the Standing Committees, the tasks of the Directing Boards, the organization charts of each House and the Colleges of Leaders; and the interactions between the executive and legislative branches in the two federative unit states in the period between 1991 and 2020—the validity period of both states' constitution charters. In this context, Figueiredo and Limongi (2007) and Pereira and Mueller (2000) highlight the fact that the executive branch, in most cases, focuses
more on policies of greater societal impact, prevailing even in their contact with the population.

In addition to the review of the literature and the historical and documental analysis of the composition of the Legislative Assemblies of Pará and Amazonas, with focus on the local performance of the parliaments and their relationship with the respective Executive powers, the comparative model is adopted here, analyzing similarities in order to identify differences. According to Sartori (1994), the comparative method represents a level of specificity of the scientific method in general—sharing some of the verification techniques used in applied humanities and social sciences, such as comparative-historical, statistical and experimental methods.

For González (2007), the use of the comparative method is directly related to the use of the experimental method, especially in the way it enables the testing of variables and the possible identification of scientifically relevant findings, even with low case volumes.

Thus, with the use of these methodological pathways, this study seeks to comparatively analyze the functioning of the legislative branch in Pará and Amazonas, based on six selected variables. In this introductory text, the theoretical review on the functioning of state legislative branch is developed in addition to the presentation of the methodological pathways of the study. Next, the case of Pará is presented in the light of the variables analyzed in their historical-documental aspects. Then, the case of Amazonas is presented, within the same parameters. Lastly, the comparative study; and the substantive conclusions of the research follow.

2 The Case of Pará

The following topic of this article covers the six variables chosen for the analysis of the case of the Legislative Branch of the state of Pará, accompanied by the historical and documental records of the factual sequence, including some dialogues and academic references linked to the theme. The discussion starts with the formation of the Constitution of the State of Pará.

2.1. State Constitutional Design

The Constitution of the State of Pará was promulgated on October 5, 1989, exactly one year after the entry into force of the Constitution of the Federative Republic of Brazil—the Citizen Constitution. The forty-one constituent deputies, after several sessions and debates, reached the

---

4 Mário Chermont (President); Carlos Cavalcante (1st. Vice-President and Deputy-Rapporteur); Zeno Veloso (2nd. Vice-President and General Rapporteur); Harold Bezerra (1st. Secretary); Agostinho Linhares (2nd. Secretary and Deputy Rapporteur); Caelius Sampaio (3rd. Secretary); Francisco Ramos (4th Secretary); Guaracy Silveira (surrogate); Vilson Schuber (surrogate); Costa Filho (surrogate); Wandenkolk Gonçalves (Deputy Rapporteur); Agenor Moreira; Alcides Corrêa; Aldo Barros Klautau; Bira Barbosa; Carlos Kayath; Carlos Xavier; Edmilson Rodrigues; Edson Matoso; Emílio Ramos; Fernando Ribeiro; Giovanni Queiroz; Hamilton Guedes; Itamar France; José Diogo; José Francisco; Lourenço; Luiz Maria; Manoel Franco; Maria de Nazaré; Marina Santos; Nicas Ribeiro; Nilton Pinheiro; Nonoato Vasconcelos; Nuno Miranda; Oti Santos; Paulo Dutra; Raimundo Marques; Raimundo Santos; Ronaldo Passosinho; Themistokles Nascimento; Valdir Ganzer. IN MEMORIAN: João Batista, Paulo Fontelles. Information is available at www.sistemas.pa.gov.br/sisleis/legislacao/228, with access on 20 jun.2020.
final result, available in the physical archives of Legislative Assembly of Pará (ALEPA) and also
in official channels through digital platforms for consultation (PARÁ, 2020a). In the preamble to
the Constitution (1989), the principles adopted by the Pará Parliament in the context of the process
of democratization of the country are clearly defined.

WE, THE PEOPLE OF PARÁ, through our representatives, gathered in
Constituent State Assembly, inspired by the constitutional principles of the
FEDERATIVE REPUBLIC OF BRAZIL, in rejecting all forms of colonialism
and oppression; aiming to build a just and pluralist society; seeking economic,
political, cultural, juridical and social equality among all; reaffirming the
fundamental rights and guarantees and the inalienable freedoms of men and
women, without distinction of any kind; striving for an advanced social
democratic regime, and thus abhorring radicalisms of every origin; aware that
there can be no fraternal and supportive coexistence within an unjust and
selfish economic order; confident that the supreme value is the freedom of
humankind and that its elementary and natural rights must be recognized and
respected, especially, the right to work, free enterprise, health, education, food,
safety, and dignity. Invoking the protection of GOD, we hereby promulgate
the following CONSTITUTION OF THE STATE OF PARÁ, hoping that it
will be an instrument of peace and progress, perpetuating the traditions,
culture, history, natural resources, material and moral values of the people of
Pará (PARÁ, 1989).

The main values of the Constitution of Pará are consistent with the Magna Carta of the
country, such as the commitment to maintain and preserve the Republic, respect national
sovereignty, promote the citizenship and dignity of individuals, while reinforcing the values of
labor, political pluralism, free enterprise and freedom of expression.

2.2. The Legislative Process and the Standing Rules of ALEPA

Here, in this section, the legislative process is discussed as is the Standing Rules of the
Legislative Assembly of Pará. Among the responsibilities of the state legislative branch, the main
mission to elaborate laws that regulate life in society is ever-present, as is the duty to preserve the
principles of the Brazilian Constitution and the discipline of the legislative process for the creation
of laws (complementary, ordinary and delegated), interim measures, legislative decrees, and
amendments. In the context of Pará, for instance, provisional presidential decrees within territorial
limits falls only to the state governor.

The rules of the legislative process also comprise the Standing Rules of ALEPA (PARÁ: 2020b), providing the definition and organization of the stages of introduction, construction and
complementarity. The Standing Rules regulate all procedures for the functioning of the State
Legislative Branch, e.g., the administrative procedures, the rules of conduct of parliamentarians
and public servants, the functions of each professional, and the provision of services to the public.

Based on the norms it contains, the Legislative Process represents a set of pre-ordered acts in the context of the Legislative Branch in its specific functions for states. The procedure

5 Idem
begins with a proposition presented by either a parliamentarian, by the governor of Pará, the State Court of Justice, the councilors of the 144 municipalities in the territory of Pará, or by the initiative of the people (PARÁ, 2020a).

Subsequently, the proposition is received by the Directing Board, open to receiving amendment propositions. After possible amendments are made, the project goes on to the Standing Committees in some cases. There, the proposition and amendments are forwarded by the President of ALEPA for the evaluation of the Standing Committees. The committees then begin the debate on propositions in the areas of legality and requests for public resources. Members of each Standing Committee may submit amendments and propose public hearings. After much deliberation, the Committee issues an opinion within the sphere of legislative process.

The Constitution and Justice Committee (CCJ) carries out the preliminary analysis, evaluating the legality and constitutionality of the matter. If approved, the proposition goes through to some of the fifteen thematic committees, with the definitions set out in articles 30 and 31 of the Standing Rules of ALEPA. If it is rejected in the CCJ, the proposition proceeds to a preliminary evaluation by the Floor of the House, where, if approved, it proceeds on to the other committees. In the context of the relationship with public resources, the Budget and Financial Supervisory Committee receives the proposition and debates issues related to a budget schedule.

After the process of examination by the committees, the bill moves on to a plenary session, where the President of the Assembly includes the propositions, opinions and deliberations into the order of business on the agenda for voting. The Floor of the House is therefore the main forum for deliberations within ALEPA. During the debates, other amendments may be made to the propositions, which are then re-forwarded to the committees. After approval of the project, it is sent to the Writing Committee, for adjustments and the collection of signatures from parliamentarians. If it is a bill—whether complementary or ordinary—the final draft goes to the State Governor to decide whether to sanction or veto the bill. If it is a draft amendment to the State Constitution, draft resolution or draft Ordinary Decree, the Directing Board of ALEPA is responsible for the promulgation process.

Finally, if it is sanctioned, the Governor orders the law to be published. If there is a veto, the bill returns to ALEPA for further deliberations. The veto can be maintained or the President of the Assembly promulgates the bill into law in the same way as it passed in Parliament. ALEPA also oversees compliance procedures on human, social, collective and consumer rights, as well as permanently supervising the actions of the Executive Branch of Pará.

2.3. Directing Board

In the structure of the Legislative Branch of Pará, the Directing Board is responsible for the coordination, prioritization and general directorate of administrative services and legislative work of the House. The Directing Board is composed of the Presidency, which is composed of
the President and two Vice-Presidents—and four Secretaries. The Board dictates the agenda and the operational flow of the state Legislative Branch, as can be identified in the ALEPA organizational chart, in Image 1:

Image 1 – Organizational Chart of the Legislative Assembly of the State of Pará (ALEPA)

In the 2019-2021 biennium (in progress), the current composition of the Directing Board presents the following parliamentarians: Dr. Daniel Santos/MDB (President); Renato Ogawa/PL (1st Vice-President); Michelle Begot/PSD (2nd Vice-President); Eraldo Pimenta/MDB (1st Secretary); Victor Dias/PSDB (2nd Secretary); Dilvanda Faro/PT (3rd Secretary); and Hilton Aguiar/DEM (4th Secretary).

The Directing Board of ALEPA, as established in the Standing Rules, has the responsibilities and role of organizing the work done on the Floor of the House and must coordinate the administrative dynamics of the State Legislative Branch. The Board is an essential instrument in decision-making processes, in addition to regulating partisan and ideological differences and the organization of political forces within the legislative power.

---

2.4. College of Leaders

The Colleges of Leaders play an important role in the Legislative Branch, both at national and state levels. According to Santos and Almeida (2003 and 2008), some variables that emerge in debates in these legislative sessions relate to urgent issues, to preferences of the executive branch, and to the choices of the members of standing committees (RICCI, 2003; SANTOS and ALMEIDA, 2003 and 2008).

The functioning of the College of Leaders in the Legislative Assembly of Pará is fully defined in the Standing Rules of the State Court of Pará (TJPA). Article 32 of this document indicates that, following the inauguration of the Directing Board, which takes place at the opening of the first year of the legislature, on February 1, there is a ten-day deadline for the meeting of the leaders of the political parties and parliamentary blocs for establishing the numerical definitions of each committee bench.

According to the very definition provided for in the Standing Rules, in article 89, it is established that the Leader is the effective spokesperson for a party group, a parliamentary bloc or bloc party—as an authorized intermediary between them and the administrative and deliberative bodies of the Legislative House. The process of formalizing the nomination of Leaders and Vice-Leaders takes place via a document signed by the majority of members of the party and/or the parliamentary bloc—and should occur within three working days after each legislative session. Each Leader can have up to three Deputy Leaders. The state governor is able to appoint ALEPA a leader and up to two vice-leaders from his administration.

Article 90 of the Standing Rules of ALEPA states that it is the duty of the Leaders to appoint representatives of their political parties or parliamentary blocs in the committees. Articles 92 and 93 states the premise that the leaders shall be able to meet, as a college to deal with important matters of collective interest. Such meeting can be set at the initiative of the leaders or the President of the House and the deliberations arising from that College may be formalized in the Leadership Act.

Leaders can promote agreements for the immediate voting on requests, for matters to be deferred to a plenary session to reach a decision, and for reversal of the day's order of business agenda, gaining priority through dialogue with the Directing Board of the Legislative Assembly of Pará (PARÁ, 2020b).

The formation of parliamentary blocs, in accordance with Rule 94 of the Standing Rules, occurs through the representations of two or more political party groups, pending deliberation of the benches, and conceded the same treatment granted to political parties with representation in ALEPA. In article 122, guidelines are provided for the leadership schedule by which leaders can take the floor in the Floor of the House. Each Leader can speak for five minutes. This amount of time is allotted to Party Leaders, Parliamentary or Governmental Blocs, with the purpose of unavoidable and urgent communications, as well as responding to criticism against the policy.
they advocate (PARÁ, 2020b).

Thus, the actions and deliberations taken by the College of Leaders within ALEPA are in the context of parliamentary discussions and linked to the interests of political parties of the established blocs, in constant dialogue with the House Presidency and with the Executive Branch.

2.5. Standing Committees

Within the Legislative Branch, both in the federal sphere and at the federal level, the committees are essential for thematic and focused discussions. Within the sphere of discussions on legislative agendas, debates become more relevant when a larger-scale dialogue is had with civil society, facilitating a more in-depth approach to the respective themes of each committee.

Within the sphere of discussions on legislative agendas, debates become more relevant when a larger-scale dialogue is had with civil society, facilitating a more in-depth approach to the respective themes of each committee.

In the study by Rocha e Costa (2012), important contributions to a more effective understanding are found on the functions of standing committees within state legislatures, especially in relation to the decision-making nature and the definition of thematic agendas and priority schedules.

In a survey carried out in 2020, there were fifteen committees in operation in the Pará Parliament, with the positions and functions being distributed among the forty-one deputies of the House, as can be observed in Table 1:

<table>
<thead>
<tr>
<th>Committee</th>
<th>Main Functions</th>
<th>Composition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution and Justice Committee (CCJ)</td>
<td>Analyzes the constitutionality and legality of the bills that enter ALEPA.</td>
<td>10 appointees 11 surrogates</td>
</tr>
<tr>
<td>Finance and Budget Audit Committee (CCFO)</td>
<td>Analyzes and issues opinions on projects related to multiannual plans, budget guidelines, annual budgets, and on accounts presented annually by the State Government and the Courts of Auditors. Also responsible for evaluating the accountability of the Directing Board of the House.</td>
<td>11 appointees 10 surrogates</td>
</tr>
<tr>
<td>Education Committee (CEDU)</td>
<td>Assesses cultural and artistic development, public and private education, public health, in addition to hygiene procedures and health care.</td>
<td>7 appointees 7 surrogates</td>
</tr>
<tr>
<td>Transport, Communication and Public Works Committee (CTCOP)</td>
<td>Conducts analyses on areas related to communications, road and transport services and public works.</td>
<td>7 appointees 7 surrogates</td>
</tr>
<tr>
<td>Agriculture, Land, Industry and Trade Committee (CATIC)</td>
<td>Analyzes issues relating to agricultural activities, commerce, industry, land-related issues and cooperativism.</td>
<td>7 appointees 7 surrogates</td>
</tr>
<tr>
<td>Tourism and Sports Committee (CTE)</td>
<td>Evaluates sports and tourism issues in general, encouraging conferences and debates on agendas. This committee suggests to the</td>
<td>7 appointees 7 surrogates</td>
</tr>
</tbody>
</table>
Within the institutional design (SARTORI, 1996) observed in the state of Pará, the fifteen committees constituted in the Legislative Assembly of Pará, until July 2020, show diversification in the topics addressed and a tendency to raise discussions on issues inherent to the life of the population, as well as the promotion of consistent dialogue with the executive power of the state. The two most recent committees are those of Culture and Health. The Writing Committee has the leanest composition (five members). The most relevant committees, relative to the predominant themes and participation of parliamentarians—appointees and surrogates—are those of Constitution and Justice, and Finance and Budget Audit.
In the case of the Legislative Assembly of Pará (PARÁ, 2020a), the committees deal with relevant issues and occupy their roles alongside the Directing Board in mediation on behalf of society. This structure of the Parliamentary Committees within ALEPA reinforces the premise that they are part of both the need to delegate the execution of tasks and thematic discussions, in the context of the consistent increase in legislative demands. This premise also applies to the considerable increase of dialogue between Parliament and its voters.

2.6. Relations with the State Executive Branch (1991-2020)

On the discussion topic of relations between the executive and legislative powers, voting, agenda control, and the pursuit for clearly defined objectives guide the functionality of a state, in a balance of forces (PEREIRA and MUELLER, 2000). In relation to agenda control, the priorities of the legislative and executive branches must always be kept in check, especially regarding the proposition of new projects and laws (FIGUEIREDO and LIMONGI, 1999).

It is important to remember that the legislative year begins on February 1st, and, at its opening, a message from the state governor is read. In odd-number years, the election and inauguration of the Directing Board of the Legislative House takes place. Within this context, this section seeks to present and analyze the relations between the executive and legislative branches for the State of Pará, considering the Governor and the President of ALEPA in their respective terms selected between 1991 and 2020, extending back to the validity of the State Constitution, promulgated in 1989.

**Table 2 – Relations between the Government of Pará and the Presidency of ALEPA (1991-2020)**

<table>
<thead>
<tr>
<th>GOVERNOR/P ERIOD</th>
<th>PRESIDENT OF THE ALEPPA</th>
<th>EXECUTIVE/ LEGISLATIVE RELATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Almir Gabriel (PSDB) — 1999/2001</td>
<td>The heads of the Executive Branch and Legislative Branch maintain close relations, with the agenda being...</td>
<td></td>
</tr>
</tbody>
</table>

Governor and President of ALEPA maintain an active and positive dialogue, especially for the Executive Branch.

Ana Júlia Carepa (EN) — 2007-2010

Despite representing different political parties, part of PMDB supported the Ana Júlia administration during her term. There were no major conflicts in the period between the Governor of Pará and the President of ALEPA.

Simão Jatene (PSDB) — 2011/2014

Relations between the Executive and the presidency of ALEPA were balanced and smooth. Manoel Pioneiro left the legislature in 2012 to be a candidate for the Prefecture of Ananindeua in the State of Pará.

Simão Jatene (PSDB) — 2015/2018

An atmosphere of total harmony between Simão Jatene and Márcio Miranda. He was also a candidate for the state government in 2018, in support of the then-governor. Miranda also had a lot of support in the Legislative House, being the first to hold the Presidency of ALEPA for three consecutive terms.

Hélder Barbalho (MDB) — 2019/2022 (in progress)
- Daniel Santos (MDB) — 2019/2021, in progress

Governor Hélder Barbalho and the President of ALEPA Daniel Santos have had several solid partnerships, including amidst the most controversial agendas, such as the vote on the Pension Reform in 2019. Daniel Santos is expected to be a candidate for the Prefecture of Ananindeua-PA, in 2020, with the support of the Governor.

Source: Own authorship, based on information from the ALEPA web portal, 2020.

3 The case of Amazonas

3.1. State Constitutional Design

Published on October 5th, 1989, the Constitution of the State of Amazonas was a symbol and a legal framework of the country's painful process of re-democratization. The Constitution of Amazonas, as well as all other state constitutions, derive from the Magna Carta of 1988. It is worth noting that state constitutions obey the hierarchical logic of the levels of government in a federative regime.

Harmonized with the spirit of the 1988 Magna Carta and with the principle of constitutional symmetry, the State Constitution establishes the rules for the functioning of powers. For this reason, the State Constitution of Amazonas has the following title order: a) Fundamental
Provisions (arts. 1 and 2); b) Fundamental Rights and Guarantees (arts. 3 to 9); c) Political-Administrative and Territorial Organization (arts. 10 to 141); d) Taxes and Budgets (arts. 142 to 161); e) Economic and Social Order (arts. 162 to 263); f) General Constitutional Provisions (arts. 164 to 289-a); and g) Acts of Transitional Constitutional Provisions (arts. 1 to 62) (AMAZONAS, 1989).

The State Constitution of Amazonas dictates the type of organizational structure of the Legislative Branch. This structure is provided in constitutional terms primarily in view of the financial and administrative autonomy of the Legislative Assembly, and the rights and duties of state deputies (AMAZONAS, 1989).

The Legislative Assembly also has a mechanism for controlling and supervising the Executive on matters such as: a) Taxes, revenue and distribution thereof; b) Multiannual plan, budget guidelines, annual budget, credit operations and public debt; c) State property; d) Organization of the administrative structure and that of the Judiciary, the Public Prosecutor's Office, the Public Defender's Office and the State Attorney General's Office; e) The creation, transformation and termination of governmental positions and jobs as well as the duration of their respective tenures and contracts, in observance with the appropriate parameters stated by the Law of Budget Guidelines; (f) The creation, structurization and definition of attributions of the State Secretariats and other administrative bodies; (g) The creation of government enterprises and mixed-economy companies or any other entities, including subsidiaries that exploit economic activity, as well as their, and the State's, participation in private companies; h) Plans for state, regional and sectorial development programs; (i) Direct operation, or through concession, of local piped gas distribution services; (j) General rules and guidelines for the operation or concession of public services, including setting tariffs or prices; l) The creation, incorporation, merger and dismemberment of Municipalities; m) The assignment and modification of the Military Police and the Military Fire Department personnel; n) Boundaries of state territory; o) Temporary transfer of the headquarters of the State Government (AMAZONAS, 1989).

The way in which the Legislative Branch is placed in the institutional design of the State Constitution justifies the need for the analysis to have a two-fold focus, on the political parties and the committees. In the case of the former, the model is that of a multi-party and fragmented parliamentary regimental principle. The centrality of the political parties faithfully emulates that of the Federal Constitution of 1988. The political party aspects correspond to electoral incentives, the formation of majorities and minorities, and the ability to form coalitions of government, where the governing bench controls state secretariats (AMAZONAS, 1989).

The committees, in turn, are strategic in their management of the legislature, with the aim to adequately distribute party interests while shaping the agenda and priorities of the house. There is a relative consensus regarding the power to delegate attributions to the committees in order to advance the handling of specialized subject matters.
3.2. The Legislative Process and the Standing Rules of ALEAM

The Standing Rules are regulations that ensure the rules for the rational functioning of the legislature. It is the Standing Rules, therefore, that support and legitimize the strategic coordination, interaction, and conflicts between parliamentarians, parties and benches in ALEAM—that is, the game of parliamentary representation. The institutional bases of the Standing Rules enable legislative work to be centralized in political parties controlling the Board and committees.

This endogenous variable is perfectly comparable and compatible with the regimental rules of the Chamber of Deputies and the Federal Senate. Thus, according to Figueiredo and Limongi (2001),

\[\ldots\text{by regimental force, leaders have a significant arsenal of resources through which they control and circumscribe the actions of parliamentarians. They rely on the resources necessary to act on behalf of their benches. The open ground for the individual and opportunistic strategy of parliamentarians is therefore quite restricted. Chiefly, leaders have a way to neutralize the appeals of the members of their benches to this end. Despite what is happening in the electoral arena, the parties count and act in a disciplined manner \ldots}.\]

Thus, the party leaders in Brazil have important agenda powers and through them preserve and guarantee the unity of the party (FIGUEIREDO and LIMONGI, 2001, p. 31).

The Standing Rules of ALEAM do not extend beyond the rule that it is centered in the hands of the party leaders, as can be seen in the internal structure of the document covering the following themes of the organization of the Legislature: a) Preparatory legislature meetings; b) Implementation of the legislature and taking office in the Directing Board; c) Party Leaderships, College of Leaders and Permanent Blocs (thematic benches); d) Majority and minority; e) Permanent, temporary, special, parliamentary inquiry, external representation, representative and public hearings committees; f) Legislature, legislative sessions and plenary sessions; g) Drafts of laws, bills, legislative decrees, and legislative resolutions; h) Processing procedures (propositions, general provisions, ordinary, urgent and priority); i) Discussions; j) Voting procedures (symbolic, nominal and confidential).

3.3. Directing board

With the objective of directing the legislative process, organizing the work on the Floor of the House and the administrative dynamics of the Legislative Branch, the Directing Board assumes a strategic role in the decision-making process. Of note regarding the composition of the Directing Board concerns its collegiate and multi-party nature. Due to the strategic nature of the positions that are occupied by parliamentarians, the political dispute is fierce and subject to, as a rule, the interference of the Governor in the process of choosing members.

The Governor's interest in recommending names aims to control the decision-making process and, as far as possible, approve bills of interest to him. Thus, the Directing Board can
mediate the interests of the deputies and the Governor. The Directing Board of ALEAM is filled by the following eight positions: President, 1st Vice President, 2nd Vice President, 3rd Vice President, Secretary-General, 1st Secretary, 2nd Secretary, and Inspector General.

The strictly legislative functions of the Board are: a) to present privately elaborated propositions and being responsible for the organization of the general administrative services of the Assembly; b) propose the creation of positions, jobs, and public service positions within the legislative power, including establishing their respective terms, in accordance to the law; (c) designate the remuneration of its members and deputies, of the Governor, Deputy Governor and Secretaries of State, in accordance with the provisions of paragraphs X and XI of art. 28 of the State Constitution; d) issuing opinion on propositions aimed at modifying the Standing Rules, within five days; e) promulgate amendment to the Constitution, Decree and Legislative Resolution and law or part of law not enacted by the Governor, within the term period set out in § 6 of art. 36 of the State Constitution; f) temporarily change the seat of the Assembly, in case of urgency and serious fact, ad referendum of the Plenary; g) proposed direct action for the declaration of unconstitutionality, in accordance with the Federal Constitution; h) take action to ensure compliance with judicial decisions; and i) supervise and support the work of the technical committees.

With regards to the administrative, budgetary and financial aspects, the functions of the Directing Board are as follows:

a) provide the internal police of the Assembly, the security of the parliamentarians and invited authorities, through force of the Military Staff;

b) authorize the holding of civil service exams, certify their results and decide on appeals;

c) adopt procedures for payment of expenditures, in accordance with the rules and guidelines governing budget execution;

d) approve the result of bidding procedures and sign administrative contracts; authorize the waiver or non-requirement of bidding;

e) assess and decide on the budget proposition of the Assembly, sending it to the Executive Branch to be included in the bill for the annual state budget;

f) request grants of additional credit to the Executive Branch;

g) determine the establishment of trade unions and administrative inquiries;

h) draw up the administrative regulations of the Assembly, conclusively interpreting the provisions contained therein;

i) report on the management of the Legislative Power, in accordance with the law;

j) determine the publication of the chart of positions and functions of the Legislative Assembly, by April 30th, whenever there has been changes in the previous year;

l) present to the Floor of the House, at the last meeting of the year, a report on the work carried out throughout the legislative year, publishing it summarily in the Official Gazette;
m) allow the works of the Assembly to be broadcasted, filmed, or televised, by duly accredited media outlets, and;

n) adopt appropriate measures to attend the request of a deputy member for their judicial and extrajudicial defense against the threat of or actual attack on their free exercise and the constitutional prerogatives of their parliamentary mandate.

3.4. The College of Leaders

Within the structure of the Legislative Assembly of Amazonas, the College of Leaders is an important space for the plurality of discussions, and the organization of benches and taking the floor in the Floor of the House. The leaders of each party and/or parliamentary bloc present themselves as interlocutors of the Presidency of the House and have two to three vice-leaders to assist in seeking agendas.

Thus, the decisions and procedures applied in the College of Leaders of ALEAM play an integral part in the discussions of State Parliament, conveying the political interests of the leaders and blocs established in the legislature and through interlocution with the executive.

The College of Leaders assumes a strategic role in the organization of legislative work, as the parliamentary leader is an important player in defining the legislative agenda, while rewarding or punishing its deputies in the distribution of parliamentary amendments. The distribution of parliamentary amendments on the bench facilitates the role of the leader.

3.5. Standing Committees

According to Rocha and Costa (2012), the perception of the functioning of parliamentary committees should not be restricted to the aspects that motivated their creations, because the creation of institutions is permeated with uncertainties, and not always do institutions flow according to the propositions of its creators (ROCHA and COSTA, 2012).

Committees are relevant in creating spaces for dialogue with the population and boosting the mechanisms of political participation while strengthening the legislature within the states (ANASTASIA, 2001; ANASTASIA and INACIO, 2010; ZORZAL and CARLOS, 2017).
### Chart 3 – Committees of the Legislative Assembly of the State of Amazonas (ALEAM) — June 2020

<table>
<thead>
<tr>
<th>Committee</th>
<th>Main Functions</th>
<th>Composition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entrepreneurship, Foreign Trade and Mercosur Committee</td>
<td>Industrial Policy, Incentives and Tax Exemptions, involving all modalities of business enterprise.</td>
<td>5 appointees 3 surrogates</td>
</tr>
<tr>
<td>Social Assistance and Labor Committee</td>
<td>Public policy, programs, projects and activities related to social assistance and labor.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Social and Cultural Promotion Committee</td>
<td>Cultural policy, involving the preservation and development of material and intangible historical heritage.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Constitution, Justice and Writing Committee</td>
<td>Constitutional, legal, regulatory and legislative technical aspects of propositions subject to consideration by the Assembly and of matters referred to it.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Economic Affairs Committee</td>
<td>Financial matters, tax, budget, public loans, internal and external debt.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Agriculture, Livestock, Fisheries, Agriculture, Supply and Rural Development Committee</td>
<td>Forestry policy and promotion of agricultural production, livestock and fisheries.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Environmental, Animal Protection and Sustainable Development Committee</td>
<td>Forestry policy, covering the preservation and control of the environment and biodiversity; <em>Written by Legislative Resolution 584 of 09.02.2015</em></td>
<td>Not Found</td>
</tr>
<tr>
<td>Science, Technology, Communication, IT and Innovation Committee</td>
<td>State policy on science, research and technology, and analysis of the functional conditions of the systems inherent.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Consumer Protection Committee</td>
<td>Consumer rights and guarantees.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Human Rights, Citizenship, Indigenous Affairs and Participatory Legislation Committee</td>
<td>Public policies, programs, projects, activities and subjects relating to human rights, citizenship and social minorities.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Education Committee</td>
<td>Educational policy and analysis of the conditions of functionality of the systems inherent.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Sports and Leisure Committee</td>
<td>Physical and sports education policy and analysis of resulting programs, projects and activities.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Public Works, Heritage and Utilities Committee</td>
<td>Matters and subjects relating to state public service.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Municipal Affairs and Regional Development Committee</td>
<td>Public policies, programs, projects, activities and matters related to housing, civil defense, urban development, and metropolitan regions.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Industry, Trade and Trade-Free Zone Committee</td>
<td>Industrial Policy, Incentives and Tax Exemptions, involving all types of business enterprises; the Manaus Free-Trade Zone and sustainable regional development</td>
<td>Not Found</td>
</tr>
<tr>
<td>Tourism, Development and Business Committee</td>
<td>Entrepreneurship, micro and small business.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Women, Family and Elderly Committee</td>
<td>Public policies, programs, projects, activities and matters relating to the rights and living conditions of women, families, children, adolescents, youths, and the elderly.</td>
<td>Not Found</td>
</tr>
<tr>
<td>Geodiversity, Water Resources, Mining, Gas, Energy and Sanitation Committee</td>
<td>Policies, programs, projects and activities related to geodiversity, water resources, mining, gas, energy and sanitation.</td>
<td>Not Found</td>
</tr>
</tbody>
</table>
3.6. Relations with the State Executive Branch (1991-2020)

Pereira and Mueller (2000) and Medeiros (2019) emphasize the need to observe the various levels of interaction and debate between the executive and legislative branches—and how priorities are defined. Below, Table 4 shows the scenario in Amazonas between 1991 and 2020.

<table>
<thead>
<tr>
<th>GOVERNOR/PRESIDENT</th>
<th>PERIOD</th>
<th>PRESIDENT OF ALEAM</th>
<th>EXECUTIVE/ LEGISLATIVE RELATIONS</th>
</tr>
</thead>
</table>

Source: Own authorship, based on information collected in the ALEAM portal, 2020.
José Melo (PROS) — 2014/2015, 2015/2017

David Almeida — 2017/2018

Tensions in the relationship between the powers, which culminated in the impeachment of the Governor.

David Almeida (PSD) — 2017/2017

David Almeida — 2017/2018

President of ALEAM became the interim governor.

Amazonino Mendes (PDT) — 2017/2019

Josué Neto — 2019 (in office)

Tension in the relationship between the interests of the Governor and the President of ALEAM. Amazonino is elected in a direct election, contrary to the interests of ALEAM deputies.

Wilson Lima (CSP) — 2019 (in office)

Josué Neto — 2019 (in office)

Tension in the relationship between the two powers, culminating with the opening of CPI da Saúde and a select impeachment committee.

Source: Own elaboration, based on information available on the ALEAM web portal, 2020.

4 Comparative study between the Legislative Powers of Pará and Amazonas

Figure 2 below illustrates the variables analyzed in the comparative study between the Legislative Assemblies of Pará and Amazonas, the present object of study.

The above-mentioned variables chosen for analysis are as follows: a) state constitutional design; b) the legislative process and the Standing Rules; c) Directing Board; d) College of Leaders; e) Standing Committees; and f) interactions between the state legislature with the Executive. Table 5 shows the summary of the main points of similarity and difference between the legislative powers of Pará and Amazonas.
Table 5 – Comparative study between the Legislative Assemblies of Pará and Amazonas based on six variables

<table>
<thead>
<tr>
<th>VARIABLE/STATE</th>
<th>PARA</th>
<th>AMAZONAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. State Constitutional Design</td>
<td>Maintains the principles of the Federal Constitution</td>
<td>Maintains the principles of the Federal Constitution</td>
</tr>
<tr>
<td>2. The legislative procedure and the Standing Rules</td>
<td>Legislative procedures follow the guidelines provided in the Standing Rules, which are the primary determiner of the rules and which coordinate the strategic management of the Assembly</td>
<td>Legislative procedures follow the guidelines provided in the Standing Rules, which are the primary determiner of the rules and which coordinate the strategic management of the Assembly</td>
</tr>
<tr>
<td>3. Directing board</td>
<td>Maintains control of the agenda, with seven members</td>
<td>Maintains control of the agenda, with eight members</td>
</tr>
<tr>
<td>4. College of Leaders</td>
<td>Actively participates in the dialogue and in the context of parliamentary discussions</td>
<td>Effective participation of the leaders in the context of legislative dialogue</td>
</tr>
<tr>
<td>5. Standing Committees</td>
<td>There are fifteen committees that deal with the main agendas of the state</td>
<td>There are twenty-four committees, with a broader diversity of themes and distinct specificities</td>
</tr>
</tbody>
</table>

Source: Own elaboration, 2020.

Based on the comparative model, considering the similarities between the two states (both large states with low demographic density within, for example), this study's proposed evaluation is to analyze the variables related to the functioning of the legislative assemblies of both states.

In variable 1 (state constitutional design) and 2 (legislative process and internal regulations), Pará and Amazonas present practically identical aspects in relation to the functioning of their respective legislative powers within the context of state norms.

In the third variable, referring to the Directing Board, the protagonism inherent in the conduct of the House agendas is a similarity, but there are small differences in the composition. In Pará, in addition to the President of ALEPA, there are two vice-presidents and four secretaries, totaling seven parliamentarians. In Amazonas, there is the President, three Vice-Presidents, a Secretary-General, two Secretaries and an Inspector General.

In the variable relating to the College of Leaders, both assemblies characteristically concede a certain level of protagonism to the party leaders and parliamentary blocs in public speeches as well as in session within the Houses.

Regarding the fifth variable, in the context of the Standing Committees, the Legislative Assembly of Amazonas, although smaller, is host to more specific discussion spaces in the context of local politics. In the data collection carried out in June 2020, ALEAM has twenty-four
committees, while ALEPA has fifteen. The respective Constitution and Justice, and Finance Committees display their fair share of political protagonism in both Houses, and space is reserved for such discussions as well as for the areas of Education, Culture, Leisure and Works. However, in Amazonas, at least at the committees' level, there is more ground for debate on issues such as the Manaus Free Zone, Geodiversity, Regional Development and—albeit atypical—Parliamentary Ethics.

In the context of interaction between the executive and legislative powers, relations generally consisted of more alignments than conflicts. In Pará, the period of most divergence was recorded between 2007 and 2010, when the President of ALEPA, Domingos Juvenil (PMDB), made an opposition—not a very aggressive one—to the government of Ana Júlia Carepa (PT) — Chart 2. In Amazonas, there were oscillating relations of domination by the executive of the legislature and alignment between the two powers, leading up to a period of differences and tensions, especially since 2015, as noted in Table 4.

Another observation is the number of parliamentarians, which is much higher in Pará (41) than in Amazonas (24), which also reflects the number of voters in each state (in Pará, almost 5,000,000 voters and, in Amazonas, about 2,700,000), according to data from the Superior Electoral Court, available at www.tse.gov.br, last accessed on June 20 and 2020.

Thus, in the comparative model adopted here, despite a greater number of similarities between the two state legislative branches and their interactions with the executive, each state has very specific issues, especially in relation to parliamentary participation, to the guidelines and certain aspects of organization and operation of the Houses (ZORZAL and CARLOS, 2017).

5 Conclusions

Based on all the elements described and analyzed in the present study, it is imperative to highlight the importance of evaluating the legislative powers in the context of their primary functions in the states and thus broaden the discussion regarding the agendas and mechanisms of operation of state assemblies in the chosen cases of Pará and Amazonas. In view of the data presented and the discussions raised here, it is possible to present some important conclusive points.

The first being that the legislative assemblies of Pará and Amazonas follow a standard of functionality based on their State Constitutions. They present, in their constitutive traits, a certain level of functionality of their Directing Boards and Colleges of Leaders in fulfilling parliamentary functions while seeking interface with society. Both Constitutions are in alignment with the Brazilian Magna Carta of 1988 (BRASIL, 2020a; TOMIO E RICCI, 2008; FIGUEIREDO E LIMONGI, 2007; PARÁ, 1989; AMAZONAS, 1989).

Regarding the protagonism of the legislative powers in the period analyzed, it has become clear, in the cases of Pará and Amazonas, the importance of the role of the Presidency of the
Legislative Assembly in promoting discussions and in the exercise of the functions attributed to this branch of power of the Republic, in the context of the Federative Pact.

In the context of the relations between the executive and legislative powers, a political alignment more present in Pará than in Amazonas was observed in the period analyzed. The fact that practically all the presidents of ALEPA are from the same political group of governors—with the exception of the period between 2006 and 2010—showed great symmetry in the Executive-Legislative relations in Pará. In Amazonas, some conflicts emerged more forcefully, as confirmed by Parliamentary Committees of Inquiry. These oscillating relations in the interactions between the legislative and executive became a recurring theme in the two states analyzed, from 1991 to 2020.

The more consistent alignment between the executive and legislative in Pará leads to the inference that the governors have greater facility in implementing their agendas. Unsurprisingly, Governor Ana Júlia Carepa (2006-2010), in whose term the presidency of ALEPA was handed over to a different political group, failed to be reelected.

The level of strategic coordination by the legislative, in the case of Amazonas, is centered on the committees and the effective control of the legislative agenda by the executive. In the words of Leite (2010), “…in addition to the bargaining power in defining the agenda of the legislative and its prerogatives in the formulation and implementation of macro policies, it is also noted that governors manage to monopolize the mechanisms of distribution of patronage for their allies and any residual opposition for the agendas under negotiation.” Thus, “agenda power and patronage resources combined are necessary (but not sufficient) conditions for the formation of partisan majorities and pro-governor parliamentarians in the legislative arena.”

Therefore, promoting analytical scrutiny based on political and variable categories in a comparative study is an important exercise for discussions in the field of Political Science and on the functionality of the political powers of the Republic, whether it shines light on their integrity or shortcomings in exercising democracy. The theme of sub-national units and legislative powers, already widely studied by national and international literature, still needs to be advanced with empirical research without losing sight of analytical quality.

Reference List


ANASTASIA, Fátima. Transformando o Legislativo: a experiência da Assembleia Legislativa de


PARÁ. Assembleia Legislativa do Estado do Pará. 2020d. Disponível em


