

# TEXAS VS NEBRASKA

As mentioned in Chapter 3, Nebraska possesses the only unicameral state legislature in the United States. All other state legislatures, including Texas, are bicameral. The history of Nebraska's unicameral legislature dates back to the time of the 1930s and the Great Depression. U.S. senator George William Norris (R-Nebraska) suggested that Nebraska change its state legislature from a bicameral to a unicameral one. According to Norris, bicameralism was a result of the British system, in which the House of Commons and House of Lords represented different citizens' social classes (aristocracy and commoner), but Nebraska lacked such classes, so there was no reason to have a bicameral state legislature.<sup>i</sup> Norris campaigned all over the state advocating a single-chambered legislature. Voters apparently agreed, and they amended the state's constitution in 1934 to abolish the lower house, retaining only the upper house. Almost 60 percent of voters approved of the change.<sup>ii</sup> As a result, the costs of operating the legislature fell in half when the newly unicameral legislature met for the first time in 1937.<sup>iii</sup>

In addition, the Nebraska Legislature sits as a nonpartisan legislature. Unlike in Texas, where legislative candidates run with clear party affiliations, candidates in Nebraska do not do so, and during their campaigns prior to Election Day, candidates do not refer to political party affiliation. The top two candidates in the primary election compete in the general election, with the candidate with the most votes winning the election to the state legislature.<sup>iv</sup> Once elected to the Nebraska Legislature, the legislators sit according to geographic location in the state, not by party affiliation as they do in the Texas Legislature and in all other state legislatures. It is important to note that the Republican Party at various levels of government in Nebraska does list candidates running for the Nebraska Legislature who have Republican support.<sup>v</sup> Democratic Party organizations within the state do the same thing.<sup>vi</sup>

The nonpartisan nature of the Nebraska Legislature is also a result of the efforts of Norris, the "Father of Unicameralism." He believed the lack of partisanship allowed the legislators to focus on their own beliefs, not the wishes of party leaders. Norris also believed the nonpartisan approach resulted in legislators paying attention to the needs of their districts, which would better serve the people of Nebraska.<sup>vii</sup> This nonpartisan approach was consistent with the Progressive Era belief that political parties were controlled by party leaders, who in turn were assumed to be dominated by big business, labor unions, and organized interests, not the broader body of citizens.

Since the Nebraska Legislature is unicameral and nonpartisan, its legislative process differs as well. For example, a nonpartisan legislature does not need to worry about the balance between Democratic and Republican members on standing committees, as the Texas Legislature does. In addition, the issue of which party controls the chair of each standing committee does not exist. Finally, there is no need to reconcile bills using a conference committee, as in all other states, including Texas. This approach also reflects Norris's approach to politics. Norris noted that in Nebraska during the days of bicameralism, conference committees consisted of six members who met in secret without any public record of their decisions and produced a bill that legislators could not amend. This suggested to Norris that the political parties were able to hide their agendas and not be accountable to voters. As a result, he believed that conference committees increased the power of interest groups.<sup>viii</sup>

## THINKING Critically

- ★ How do Norris's claims about the origins of bicameralism differ from the reasons typically associated with the framers of the U.S. Constitution? (See especially pages 78–79 in Chapter 3.)
- ★ What potential advantages exist to the Nebraska nonpartisan arrangement?
- ★ What advantages and disadvantages exist in a unicameral state legislature?
- ★ Should Texas consider adopting a unicameral, nonpartisan state legislature? Why or why not?

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i. Nebraska Legislature, "History of the Nebraska Unicameral," <http://nebraskalegislature.gov/about/history-unicameral.php> (accessed September 18, 2014).

ii. Ibid.

iii. Nebraska Legislature, "On Unicameralism," <http://nebraskalegislature.gov/about/ou.experience.php> (accessed September 18, 2014).

iv. Nebraska Legislature, "History of the Nebraska Unicameral."

v. Lancaster County Nebraska Republican Party, "Primary Elections," [www.lcgp.com/news/primary-elections/](http://www.lcgp.com/news/primary-elections/) (accessed August 9, 2012).

vi. Nebraska Democratic Party, "Candidates," [www.nebraskademocrats.org/candidates](http://www.nebraskademocrats.org/candidates) (accessed October 10, 2012).

vii. Nebraska Legislature, "History of the Nebraska Unicameral."

viii. Ibid.