The Political and Journalistic Battles to Create Nebraska’s Unicameral Legislature

(Article begins on page 2 below.)

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Article Summary: Though Senator George Norris was the unicameral’s best-known promoter, he had important allies during the campaign of 1934.

Cataloging Information:

Names: George W Norris, J N Norton, John Senning, Lane Lancaster, Charles Bryan

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Photographs / Images: opening day of Nebraska’s first unicameral legislative session, January 5, 1937 (2 views); John Senning, 1937; articles from a folder of John Sennings’s newspaper clippings: “Unicameral Plan Is Strange All Around,” “The Risk Is Too Great,” “Approval of Unicameral Plan Represents Fruition of Another Norris Fight,” “Election Vote Set New High for All-Time”; a pro-unicameral flyer with picture of Norris and quotes from his arguments in favor of the unicameral; Senator Norris and John Senning
Opening day of Nebraska's first unicameral legislative session, January 5, 1937.
NSHS RG2183-1937-105-1
Credit for the creation of Nebraska's unique unicameral legislative body is often ascribed to two factors: U.S. Senator George W. Norris, and the confusion over the words *pari-mutuel* and *unicameral*. Norris's importance is correctly placed: he was the measure's greatest advocate and most visible backer, although he did not act alone. But the supposed confusion over pari-mutuel gambling and a unicameral legislature (*just vote for everything*, voters were supposedly told) is likely overstated, probably because it sounds amusing in a rustic backwater sort of way. In fact, the voters of Nebraska went to the polls in 1934 very well informed, thanks to an aggressive campaign from both sides.

Nationwide, the unicameral movement gained currency during the reform-minded “Progressive” decade of the 1910s, during which time proposals for unicameral bodies were introduced in the legislatures of Alabama, California, and Colorado. During this same time, constitutional amendments proposing unicameral legislatures were defeated by voters in Arizona, Oklahoma, and Oregon, and constitutional conventions featured suggestions of unicamerals in Arkansas, New York, and Ohio. Governors of Kansas, Minnesota, South Dakota, and Washington also called for unicamerals in their states.1
In Nebraska the idea was first proposed by a joint legislative committee, formed in 1913 and charged with suggesting new government reforms, which recommended to the 1915 legislature that a constitutional amendment be introduced (by voter initiative) and submitted to the voters to establish a one-house legislature. The committee’s other reform suggestion of a revision of the rules of procedure was adopted by the 1915 legislature, but the unicameral suggestion was not.2

However, the chairman of the committee, J. N. Norton, emerged as a strong advocate for unicameralism and introduced a bill in the 1917 session calling for a one-house legislature. This was killed in committee, but a second bill from Norton calling for a constitutional convention to meet in 1919-1920 was passed. At this convention, Norton chaired the committee on legislative reform, which again advocated a unicameral. Initial support for this proposal ran high: in a straw poll of the convention attendees eighty-three out of one hundred members favored putting the matter before the voters of the state. However, in the debate that followed, it was suggested that a one-house legislature might not be workable without a cabinet form of government. This raised doubts, and when the matter was voted on, it failed to pass with a forty-three to forty-three tie.3

The nationwide drive for unicameralism, so popular in the 1910s, might have died out in subsequent years if not for the work of U.S. Senator George Norris. Norris had first publicly advocated a unicameral in a piece he wrote for the New York Times on January 28, 1923, but in his autobiography, Fighting Liberal, he dates his interest in the subject to his days in Furnas County (1885 to 1900). He mentions having several opportunities to run for the state legislature, but the low pay and the legislative sessions coinciding with his busiest business time made it impossible for him to afford to do so.4

With the onset of the Depression, a series of conditions set in motion Norris’s decision to again rally for a unicameral. The 1932 legislative election had been a Democratic upset, and thus many of the members of both houses of the 1933 legislature were inexperienced first-timers who had allowed their names to be placed on the ballot without any real expectation of winning. These rookie legislators faced the challenge of trying to surmount a bad agricultural year and a nationwide depression. Promises of an early adjournment were not met, and the public objected to decisions made on topics ranging from liquor to tax reform.5 One 1935 report says, “Many citizens felt that no future Legislature regardless of its form could possibly be worse.”6

Newspaper accounts from the time informally credit Norris as the author of the unicameral amendment that was eventually approved in 1934, and one later article states that he wrote it on December 21, 1933.7 However a citizens’ committee called the Model Legislative Committee is also credited with working out the details of the language according to one of the members of the committee, University of Nebraska Political Science Department chair John Senning. In Senning’s 1937 book The One-House Legislature (published the day before the first Unicameral took office in January of 19378), he mentions that the committee was made up of J. N. Norton, George Norris, and “a number of professors of political science in the University of Nebraska and men and women from different sections of the state.”9 C. A. Sorensen, former Nebraska attorney general and manager of Norris’s successful Senate campaigns of 1918 and 1924, was the committee chair.10

The committee wrestled with issues such as what to call the new legislative body, the salary and length of term of its members, the role of the lieutenant governor, and how many members the new body should have.11 One of the most divisive issues was Norris’s insistence that the legislature be elected on a nonpartisan ballot. Many on the committee felt that while nonpartisanship was a worthy goal, it would jeopardize support from the major political parties. A promise to support the amendment from the head of the Democrats in Nebraska in return for dropping the nonpartisan feature was steadfastly refused by Norris.12

The unicameral campaign was formally launched with a public meeting organized by Norris’s friend Col. John G. Maher, and held in Lincoln on February 22, 1934. Eight hundred people turned out to hear Norris’s speech, which was reprinted in the Congressional Record five days later.13 This speech was the blueprint for nearly all Norris campaign speeches and literature, and
contained essentially the same five key points he had written in the *New York Times* article of 1923. Three points had to do with flaws of bicameralism. First, a smaller governing body would cause the members to accept greater responsibility because they couldn’t blame their failures on the other house or the conference committee. Second, it was too easy for special interest lobbyists to derail legislation under the bicameral setup, when all they had to do was to block passage in one or the other house, or in a conference committee—and the public doesn’t see this happen unless they understand the machinations of the bicameral system. Third, the deliberations of the conference committee (which Norris called a “third house”) are secret, and the five or six committee members are appointed by party leaders. Members of the two houses must then accept flawed bills for approval if they wish to pass any legislation.  

Fourth, Norris promised substantial cost savings with what he initially saw as a twenty- to thirty-member body. (Due to popular demand, Norris acquiesced on this point and allowed the amendment to read as a thirty- to fifty-member body.) This savings would come not just from the reduced number of senators, but also from the reduced number of support staff.  

The final point, and the point on which Norris steadfastly refused to acquiesce, is the aforementioned nonpartisan election of senators. In both speeches he said it was ridiculous to elect a local senator on the basis of his party views on tariffs, for example.

**After the successful kickoff** rally, the committee’s first step was to obtain the necessary signatures to put the measure on the ballot in November. The law stated that for an initiative to amend the constitution, it must have signatures from 10 percent of the electors of the state (only 7 percent were required for enacting laws). Additionally, the signatures must come from at least 5 percent of the electors in two-fifths of Nebraska’s counties.  

Added to the petition burden was the requirement that each petition could only feature twenty names, and the circulator had to witness every signature. At first, volunteer circulators were hard to come by and the campaign couldn’t afford to pay circulators. Petition campaign chairman Donald Gallagher wrote to Senator Norris in Washington that perhaps the effort should be put off by two years. Norris replied with a $1,000 personal check to cover expenses. Eventually the petition effort succeeded by the deadline of July 1, garnering 95,000 signatures while the law required only 57,000.

Initially the campaign was met with mild indifference by many voters, according to an editorial in the *Beatrice Sun*: “One does not hear the subject discussed anywhere. That is not usual of measures which the Nebraska senator champions. His name upon the label is ordinarily sufficient to attract a considerable following of supporters. It has not been the case this time.”  

Early in the campaign another champion of unicameralism emerged, Lane Lancaster, who, like Senning, also taught in the University’s political science department (and who would later follow Senning as the department chair). Lancaster contributed a lengthy article to the Sunday joint edition of the *Lincoln Journal and Star* just ten days after the campaign kickoff, under the headline “1-House Legislature Arguments Analyzed By Lane Lancaster.”  

The analysis begins:

> If present plans materialize, the voters of Nebraska will have the opportunity next fall to pass upon a proposal to establish for the state a legislature of a single house. Such a proposal, if carried, would be so sharp a break with tradition that it deserves analysis and discussion. The complete text of the proposed constitutional amendment is now available and such an analysis is possible.

While appearing at first to be a fact-based assessment of the amendment, Lancaster takes a decidedly pro-unicameral stance about halfway through the article. Although he does not indicate this anywhere in the article, Lancaster was in fact secretary of the Model Legislative Committee, which included Senning, Norris, and Sorensen, and so helped to draft the amendment he was critiquing.

The appearance of the Lancaster article in the Sunday joint edition of the *Journal and Star* early in the campaign is a foreshadowing of the role the *Star* was to play in the campaign’s later stages. Nebraska newspapers, with the exception of the *Star*, the *Hastings Daily Tribune*, and a half-dozen weeklies, were unanimous in their opposition to the amendment.
But the editor of the Star, J. E. Lawrence, was a close friend of Norris and ran a number of pro-unicameral editorials, as well as full coverage of debates on the issue late in the election season.22 One April 25, 1934, editorial in the Star is a good example. It points out that the formation in Omaha of a group to oppose "the Norris amendment" (as it was so often called) was due to the potential loss of jobs of seventeen representatives and senators from Douglas County. The editorial concludes, "There are of course many sincere people who will oppose the Norris amendment because they really think the present system the better one, but the people of the state as a whole will not pay a great deal of attention to a movement whose chief sponsors are Omaha politicians."23

That editorial was reprinted in the October 11 edition of the Nebraska Beacon ("Champion of the Progressives of the State"), one of the weeklies that supported the measure. When the pro-unicameral campaign kicked off its vote drive on Monday, October 8, 1934, with a town-to-town speaking campaign by Norton (in York), Sorensen (in Lincoln), and Norris (in Hastings), the Beacon reported who spoke where in three paragraphs, then followed that with an excerpt from the Norris speech that ran to thirty-seven column inches.

Additional newspaper support was given by the Washington, D.C., weekly Labor (published by a consortium of transportation unions), which featured a Nebraska edition on October 23, 1934, that featured giant headlines proclaiming "MORRIS WAGES GALLANT FIGHT FOR VITAL CONSTITUTIONAL AMENDMENT" and "One-House Legislature Will Curb Corrupt Lobbyists." Subheads include "Morris' Plan Will Eliminate 'Jokers' From Legislation" and "Rule of Few Men Ended." Norris's picture was reproduced six inches high under the heading "Nebraska's Great Senator." An admonition appeared in the upper right corner of the masthead: "After you have read this edition of LABOR, do not throw it away. Hand it to a friend. The constitutional amendment will be adopted if the voters get the truth."24

Statewide, interest in the unicameral measure seems to have been low during the hot summer of '34 ("the hottest summer since weather records have been kept in Lincoln," said the Lincoln Star).25 Senator Norris had spent the summer at his camp in Wisconsin, and returned to Lincoln five weeks before election to find that everyone thought the amendment was dead.26 Norris and other supporters commenced a speaking campaign. Norris's widow remembers, "The Senator and his son-in-law, John Robertson, started out in a car and wore out two sets of tires and two windshields, and hit every nook and cranny in Nebraska.27"

Other backers of the amendment, including Norton and Sorensen, also made the rounds of the state to drum up support. Sorensen appeared in at least two debates with former governor S. R. McKelvie, who said in opposition, "If it's more laws you want—and everyone knows we have enough now—then vote for the one-house legislature. You'll get them, plenty of them. And it will mean more taxes."28 On the other side of the battle, then-current governor Charles Bryan (brother of William Jennings Bryan) made it known to the press that he was a supporter, although he did not actively campaign for the measure. Bryan gave the example of a bill from the previous year's session which was ostensibly to clear out "deadwood" in the statutes. Someone had sneaked some repeals of provisions relating to public power districts into the bill while it was in conference committee, and it was only because he asked his staff to double-check the bill that this was found.29

Bryan characterized the measure as "endorsed and supported by leaders of progressive thought in the state and nation." The term "progressive" was also used in a small flyer (displaying the union logo) which, like so much pro-unicameral material, featured Senator Norris prominently on the cover. "VOTE FOR ONE HOUSE LEGISLATURE" and "PROPOSAL IS SPONSORED BY SENATOR NORRIS AND PROGRESSIVES OF ALL PARTIES," read the cover. Inside, the flyer details six reasons to support the amendment—the same five Norris had been using in his speeches, and a sixth reason attacking the "jealousy, friction, and rivalry between the two houses."

As the election neared, the strain of the campaign took its toll. On election eve, the McCook Gazette reported, "In a voice shaking with emotion, Senator George William Norris told..."
approximately a thousand southwestern Nebraska voters that he would rather death close his eyes before a check is made of today’s ballots if the vote brings defeat to his proposal to install a Unicameral Legislature in Nebraska.”

Senning, too, was feeling the strain from the campaign. The Board of Regents of the University was upset that one of their department heads had become embroiled in a controversial issue, and on election night his wife Elizabeth found him at the radio, “listening to election returns in order to see if I still have a job at the University come morning.”

Ultimately the measure passed with nearly 60 percent of the vote, 286,086 for and 193,152 against. The measure was rejected in only nine counties (Banner, Arthur, Dundy, Hayes, Keya Paha, Rock, Merrick, York, and Clay) which are fairly evenly spread around the state. Support was high (63 percent) in Douglas County, home of opposition newspaper the Omaha World-Herald. As might be expected, support was highest in Norris’s home county of Red Willow, running to 74 percent in favor.

Popular legend has it that the success of the unicameral measure is attributable to the presence on the ballot of two other measures, one to legalize pari-mutuel betting, and another to repeal statewide prohibition. Roger Welsch, in his 1984 book Inside Lincoln, says, “The fact of the matter is that the political manipulators of the State were worried in 1934 that Nebraska voters might confuse the vote for the unicameral with the other, more important issue—parimutuel betting. Unicameral, parimutuel; parimutuel, unicameral. So they just told everybody to vote yes for everything. We wound up with horse racing and one-horse legislatures in the same election.”

Even Unicameral supporter Lane Lancaster, writing in a January 1935 article in Current History, admits that there may have been some people who supported the Unicameral measure only because “it was widely rumored that the friends of repeal and pari-mutuel betting, to make sure that their followers would answer those questions in the affirmative, passed the word down the line to vote ‘Yes’ in every case.” (Interestingly, when Lancaster’s piece was reprinted in The Reference Shelf, a series of books for debaters which contained various pro and con arguments, this paragraph was omitted.)

In his 1937 book, however, Senning refutes this theory, mentioning that the other two ballot measures failed in many counties, and giving the vote counts to support his claim. Senning may be overestimating his readership’s ability to garner information from raw numbers, because the numbers don’t tell much of a story. Turning Senning’s raw numbers into percentages, however, we see that the unicameral measure received the highest
percentage of “for” votes cast (59.69 percent), while pari-mutuel received 57.26 percent “for,” and the repeal of state prohibition squeaked by with 50.77 percent. Interestingly, the total number of votes cast on the pari-mutuel issue was actually 8.48 percent fewer than were cast in the unicameral contest, supporting Senning’s claim that the pari-mutuel measure did not “carry” the unicameral measure.36

Furthermore, the prohibition repeal vote was far and away the most contested issue on the ballot, with a total number of votes cast (646,181) 34.83 percent higher than the total cast in the unicameral battle, and yet ending up in a near tie, furthering the Senning theory that the other two issues did not help the unicameral measure to pass.37

Ultimately, credit for the passage of the amendment should go to three men, Norton, Norris, and Senning. So passionate were these three that they put their careers on the line and their lives on hold to campaign for it, and, it should be noted, called in a number of favors from friends, political connections, and subordinates to see it accomplished.

When the first Unicameral convened two years later in January of 1937, all three men were marking milestones. Senning’s book The One-House Legislature had just been published by McGraw-Hill, and Senning himself had been charged with drawing up the Unicameral’s forty-three new legislative districts.38 Norris was there as honorary guest speaker, preferring to miss the opening day of the Senate in Washington, which was also the first Senate to convene under the new schedule set by the Twentieth (“Lame Duck”) Amendment that Norris had been so instrumental in passing.

And Norton? The man who had first introduced Nebraska to the idea of the one-house legislature had gone on to serve two terms in the U.S. House of Representatives and had been living in Washington, D.C., working for the Department of Agriculture. Two years before, Norton had taken a month’s leave from his job to campaign in his home state for the measure he felt so passionately about.

On this opening day, as George Norris stood before the assembly and gave the opening address, Norton was seated in the back of the house, not as an honored guest like Norris, but as the Senator from the Twenty-Fifth District. J. N. “Nate” Norton had put his career in Washington on hold for two years to return to the state and county he loved, to be part of the first Nebraska Unicameral, an idea he introduced to Nebraska nearly a quarter century before.39

From a folder of John Senning’s newspaper clippings.
NSHS RG2006AM-18-69

ELECTION VOTE SET NEW HIGH FOR ALL-TIME
Many Inquiring About Unicameral and Pari-mutuel.
Notes


2 Ibid., 43-44.

3 Ibid., 44-45.


7 Schliesser, “George William Norris.”


10 Notes to collection, C. A. Sorensen papers, Nebraska State Historical Society, Lincoln, Nebraska; “Approval Of Unicameral Plan Represents Fruition Of Another Norris Fight,” unknown newspaper, Nov. 7, 1934, John P. Senning Collection, Nebraska State Historical Society, Box 18, Folder 69.


13 Ibid., 315.


15 Ibid.

16 Ibid.


19 September 19, 1934 clipping from unknown newspaper (credited as originally published in the Beatrice Sun) John P. Senning Collection, Box 18, Folder 69.

20 “1-House Legislature Arguments Analyzed By Lane Lancaster.”

21 “Memorandum of meeting to discuss text of amendment providing for unicameral legislature. University Club, Lincoln, Feb. 20, 1934,” John P. Senning Collection, Box 20, Folder 9.


27 Schliesser, “George William Norris.”


30 Schliesser, “George William Norris.”


33 Annotated map of unicameral measure election results by county, John P. Senning Collection, Box 8, Folder 53.

34 Roger L. Welsch, *Inside Lincoln (the things they never tell you!)* (Lincoln, Nebraska: Plains Heritage, 1984), 68.


37 Ibid.

38 Forrest, “John Senning.”