

HJR

I

Proposing amendments to the Constitution of the State of Alaska providing for a unicameral legislature.

1/20/75

COMMITTEE REPORT

~~JUDICIARY~~

HOUSE

Mr. Speaker: _____ Date _____

The Committee on JUDICIARY ~~XXXXXXXXXXXX~~ has had House Joint Resolution 1 ~~XXXXXXXXXXXX~~

under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR HJR 1 AND THAT
CS FOR HJR 1 DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

| | | |
|------------------------|----------------|-------|
| <u>Jimmy Henderson</u> | <u>Do Pass</u> | _____ |
| <u>Edwards</u> | <u>Do Pass</u> | _____ |
| <u>P. S. Seadler</u> | <u>Do Pass</u> | _____ |
| _____ | _____ | _____ |

Members NOT concurring in the Majority report:

_____ recommends: not present

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Jimmy Henderson Chairman

legislature question. Is there objection? Hearing no objection, then the Convention will resolve itself into a Committee of the Whole. Mr. Victor Rivers, would you take the Chair?

V. RIVERS: Mr. President, I would like to ask to be excused as I have comments to make from the floor.

PRESIDENT EGAN: Mr. Barr, would you take the Chair?

BARR: Mr. President, I had hoped to be able to talk on the floor on this. I feel quite strongly on this.

PERATROVICH: Mr. President, the chairman can participate in the discussion in the Committee of the Whole, so I don't see why these capable men are refusing to take the Chair.

PRESIDENT EGAN: The Chairman of course during the Committee of the Whole could give the Chair to someone else if he so desired. Mr. Riley, will you take the Chair?

RILEY: Obviously, Mr. President, I have little that I can say.

COMMITTEE OF THE WHOLE

CHAIRMAN RILEY: The Committee will come to order. Being among those who were late to arrive, I did not hear the motion for our resolution as a Committee of the Whole, but I presume that the order of business is as announced and the matter before us is discussion of the structure of the legislature as proposed, I believe, by Mr. McCutcheon yesterday. The matter is now open for discussion. Mr. Victor Rivers?

V. RIVERS: Mr. Chairman, in adding up the discussion of the chairmen of the committees the other day, it seemed to me we would have a long session unless we came to some conclusion in this Committee of the Whole as to the time limit of the debate. Now the questioning of this subject and bringing it up before us at this time was for the purpose of determining an opinion -- not for the matter of final debate. I move and ask unanimous consent that we limit debate to ten minutes for each individual member on this subject.

CHAIRMAN RILEY: Mr. Rivers moves and asks unanimous consent that we limit debate to ten minutes for each individual member on this subject. Is there objection? Mr. Barr?

BARR: Mr. Chairman, I object for the moment for a point of information. Does that mean that ten minutes at one time? If a man has a chance at a second time, what then?

V. RIVERS: I had thought in adding up here that we have 55 members; if each uses ten minutes we have 550 minutes or ten

minutes less than ten hours. I thought if each member got a chance to speak that ten minutes would be the maximum we could allow. Some of them will not desire to speak that long.

FARR: Some will not speak at all, but I have great powers of endurance myself.

CHAIRMAN RILEY: Do you object, Mr. Barr?

FARR: I do not object to limiting it to ten minutes each time that a member speaks, but if it comes around to him the second time I believe he should be able to speak again if he wishes for another ten minutes.

CHAIRMAN RILEY: Mr. Rivers, does that constitute an objection to your motion?

V. RIVERS: No, it constitutes no objection.

CHAIRMAN RILEY: Without objection it is so ordered. There will be a ten minute limitation. Mr. Sundborg?

SUNDBORG: Mr. Chairman, are you going to appoint a time keeper?

CHAIRMAN RILEY: I am going to ask the Clerk to give the Chair a copy of the roll call and I shall undertake to keep track of the time. Mr. McNees?

MCNEES: Mr. Chairman, will there be any yielding of time on the part of one delegate to another?

CHAIRMAN RILEY: I know of no reason why that cannot be allowed. We have nothing in the rules on the subject. I would say that each member has ten minutes allotted to him under the proposal. Mr. Rivers?

V. RIVERS: Mr. Chairman, I would object to that if that is a form of unanimous consent request on the grounds that we are trying to limit the total time of debate here to some reasonable figure. I think that if a member does not use his time, does not have ten minutes of time to devote to the subject, we should not allow that time to go to someone else.

CHAIRMAN RILEY: I would suggest in that event if the Chair may, that the matter be clarified right now with a request for unanimous consent or motion as in the case is necessary.

V. RIVERS: I ask unanimous consent that any member be limited to speak not more than ten minutes at this one time, the first time and his ten minutes if not used, not be transferable to some other member.

MCNEELY: I second the motion.

CHAIRMAN RILEY: It has been moved and seconded that each member be confined to ten minutes discussion and that his ten minutes not be transferable to some other member, if not exhausted by the one speaking. Mr. Kilcher?

KILCHER: Mr. Chairman, point of information only. This ten minute time -- if the first time -- is that to be construed that it is only one time if it is only three or four minutes, or can the ten minutes be cut into two or three small parts?

CHAIRMAN RILEY: Mr. Kilcher, as I construe the rule, if one does not use his full ten minutes the first time, he must allow all others who wish to speak on an intermediate basis, to speak before him on the same subject before he resumes.

KILCHER: Will the whole evening be one subject?

CHAIRMAN RILEY: I suspect it will be one subject as indicated by the call. You've heard the motion. Is there further discussion?

UNIDENTIFIED DELEGATE: Question.

CHAIRMAN RILEY: All in favor signify by saying "aye", all opposed saying "no". The "ayes" have it. So ordered. You each have ten minutes.

BUCKALEW: Mr. Chairman, if no one is going to speak, I request that we rise and report progress.

MCCUTCHEON: Mr. Chairman, the purpose of our discussion here is to develop some of the thinking on the side of the proponents of unicameralism in showing the contrast between the two types of legislatures. There has been a good deal of condemnation in past years of the fashion in which our Territorial Legislature has proceeded on the several subjects, and there has been a good deal of thinking by people not well acquainted with the legislative constitution as the way it is in effect currently, believing that in putting the total membership of both the houses into one body the matter of the affairs of the state may be expedited and that an economy may be there effected. There is considerable argument in behalf of bicameralism predicated upon the historical aspects of our legislative assemblies throughout the United States, in England and in other countries. There have been a good number of proposals for unicameralism in the United States during the history of the United States, and it appears that currently only one is functioning. Our particular committee seems to be of two different opinions, and it is possible that some of the debate tonight may serve to strengthen either side or convince either side that they are incorrect. Consequently, I prefer, Mr. Chairman, to have someone take up the cudgels in behalf of either side and get the wheels going around.

CHAIRMAN RILEY: Mr. McNealy.

MCNEALY: Mr. Chairman, in view of the fact that the matter of ten minutes allocated to each delegate with possible chance of twenty minutes, and with the thought in mind that I don't want to be here at the end of ten or twenty hours, I seize this opportunity of being able to lead off and so have my brethren, and possibly sisters, who can speak longer and more fluently than I, have the privilege to carry on their speaking while I am enjoying much needed rest. To get down to the subject, I don't know whether -- first I will back up. I want to make my standing and my premise very clear. I am unalterably opposed to the unicameral legislature. I don't know whether there is any other delegate here who is from Nebraska. I was born and raised in Nebraska and practiced law there a good many years. I will have to say that I did not live too much time under the unicameral system. In fact, it was only in operation for a period of two years there before I came to Alaska to make my home. However, I have been back to Nebraska, I have exchanged correspondence with attorneys, politicians of Nebraska, and this being a Committee of the Whole I feel that I can safely say "Republican" and "Democrat" without any fear of criticism, because that is one thing that we have very admirably avoided in the meeting of the plenary sessions of the Convention and even carried on by those two great statesmen yesterday who referred to greater statesmen in both political parties. I believe we can more or less call a spade a spade. One of the reasons I left Nebraska was that I was probably one of the last Democrats who stayed in Nebraska, and to have freedom and get out from under a one-party system, I felt that a new, growing and progressive place such as Alaska would hold some future, a place where a two-party system could exist and continue in operation. Nebraska is, and I probably don't need to say this, Nebraska is a Republican state. The chances of a Democrat being elected in Nebraska are even less than that of the rich man mentioned in the Bible, getting into heaven. In Nebraska the unicameral system -- there are objections to it there -- on the whole it has worked and is working very well. That much I am going to grant in favor of the unicameral legislature as far as Nebraska is concerned. There my friends, we have a system whereby the Republicans, you have practically a one-party system setup on the non-partisan basis, for one thing. The second is that Nebraska has a stable population. "Stable" is hardly the word. It is not only stable but they are ultra ultra conservative. The largest town in Nebraska (I may be off a little on my figures now as I am probably using figures of ten or fifteen years ago); the population of Omaha (my home town was south of Omaha where the few Democrats were still able to congregate) was about 300,000 as against a state population of 3,000,000. That is not a bad deal under a unicameral system. You compare the size of Anchorage, or the greater Anchorage area with the population of Alaska and you will find your percentagewise that the unicameral

system on that basis would not be as fair here as it is in the State of Nebraska. There you have your sound and conservative farmers throughout the state and they see more or less eye to eye, there is not a chance of ramrodding things through the unicameral legislature in Nebraska because they are all as I said before the ultra conservative type, and it is only conservative measures that are going to get through that unicameral legislature in Nebraska. I can recollect back to the bicameral days when we tried to get some measures through that were not so conservative, and they failed pretty flat even when we still had some semblance of the two-party system in Nebraska. Now I am going to close off here very shortly. I am going to say some things to some of my fellow legislators who served with me in the House of Representatives, it is going to hurt me a little to say this. There are a number of Senators here that I served with in the last legislature. It hurts me but I am going to have to say a kind word for those Senators. There were times when I thought they were wrong and when I thought they were wrong, why they were wrong. There were other times, ladies and gentlemen, when in that House of Representatives things were ramrodded through by a certain segment of the members of the House of Representatives, of which I was one, and had we not had a Senate over there, much as I hate to say this, had we not had a Senate there to cool off the House a little and water down some of these bills that we sent over to them, maybe if we had not known there was a Senate over there, very likely we would not have shoved some of these bills through. We depended a large part on the Senate to kill them. I can see -- is my time about up?

CHAIRMAN RILEY: Three minutes, Mr. McNealy.

MCNEALY: I can see whereby the unicameral legislature with the same ideas and the same thoughts, ladies and gentlemen as the House of Representatives in which I served this last time, on a good number of measures, a unicameral legislature could ram through legislation there that the people of Alaska would bow their heads in shame to think it had passed a representative body. It is a dangerous proposition from that point. In closing, I forget whether it was Hamilton or Madison, when he was asked about the bicameral deal in the United States, (incidentally the Senate and House of Representatives have worked pretty well for almost 170 years in our federal government) he said why the two-house system -- remember in the old days about Madison's time, when they used to pour the coffee out in a saucer and blow it off a little to cool it? Well, he said here is a hot cup of coffee and a hot cup of tea, which he said represented the House of Representatives -- a hot, impetuous body. The saucer here represents the United States Senate -- we pour a little of the hot tea into the saucer, we cool it off a little bit and drink it. I believe that more fully shows that I think that we could stand in this hot impetuous, a growing Territory, we could stand a little cooling off by a

Senate. Incidentally, I am not now nor do I intend to be a candidate for Territorial Senator.

CHAIRMAN RILEY: Is there further discussion? Mr. Marston?

MARSTON: Mr. Chairman, may I speak? How much time do we have here?

CHAIRMAN RILEY: Ten minutes sir.

MARSTON: I am the only man that comes from Spenard, Alaska, who is in this Convention. That group of people represents the largest single group of people back of any group that came here as a delegate, and I am thinking back over the people who live there, the 200 homes at Turnagain By the Sea. I am thinking seriously about the people and why I am here and I have used my influence here. Helen Fischer and some others and I have declared that I would vote for the one-house system. I don't think I had too much influence on them, and I have thought it over here tonight and this afternoon. Those 200 families who live in my development, they expect me to help write a constitution that will be acceptable to the United States group and I think that is my first duty. If we need reforming I think I want to join up with a family of states and then reform from within and not start my reforming from the outside. I believe that is what I am here for, and I am going to go along with the system, the pattern that has built a great United States of America, and I am going to throw my influence along the side of the two-house system that has made America great. Thank you, Mr. Chairman.

COOPER: Mr. Chairman, apparently I am laboring under some false ideas here. I thought there was going to be an argument. I prepared my little speech on the basis that someone would already have been on the floor for the unicameral legislature, but apparently right at this moment, just to stir up some debate, I would like to make the statement. I don't think they are very proud of it, so I will present mine with the full idea that I know very shortly there will be more people on the floor. I have one thing to say in reference to our first speaker. If he could guarantee a certain party in a unicameral legislature, I would swing my opinions to the unicameral. With your indulgence I would like to read this. I really haven't had time to study it out well enough to speak freely. Many of the strong points for a bicameral legislature and, of course, strong points for a unicameral legislature have been presented here. Primarily, unicameralism points out economy and expeditious legislation. My concern with the mentioned economy and expeditious legislation is, will this be accomplished at the sacrifice of good, strong comprehensive acts of legislation for the people. Very true, as has been pointed out, unicameralism could possibly forestall and correct some of the "log rolling", "passing the buck" and other undesirable means by which legislators in the past have used to gain personal fame, rather than

vote an issue for the good of the Territory and their constituents. I, for one, would like to assume that had a unicameral house existed in the past, the same caliber of representative referred to above would have been present in the legislature, and could have found other undesirable methods to further his or her purpose at the expense of the voters. Naturally, a bicameral house cannot legislate in the reported fast, economical manner of a unicameral house. However, for our age-old American custom of checks and balances, a bicameral procedure is far more desirable. Secondly, unicameralism cannot give the representation desired by the people. With a two-house system the lower house would be apportioned for representation on population alone. This guarantees each and every election district of 2500 population or more at least one representative in the House and naturally that representative would have the one vote. To enlarge on this, the election districts would be, where necessary due to greater population, multiple member districts based on the total population. The Senate, however, by custom (and I am not attempting to run for Senator in any way, shape or form) a more learned, sedate and responsible body, would be apportioned for representation by geographical areas: Possibly, to go further, geographic and economic areas. This body, the Senate, would then be responsible not to an immediate area, due to population, but would be responsible to the territory or the state at large. The Senate as such would be, in effect, a board of directors for the corporation which in this instance the State of Alaska. Individual Senate members would not be so apt to be concerned about minor legislation but would be instead the liaison between the lower house which is represented by population and the government of the State of Alaska based on over-all population, economics and geographic districts. To summarize, a great deal of the concern voiced in this body against a two-house legislature has been and is based on the supposed incompetence or lack of faith of the representatives to be elected by the people. We were told yesterday by a most distinguished gentleman that the words "politician, politics, government", are in most cases referred to or thought of as synonymous of graft and incompetence. The capabilities of the elected representative or senator we cannot control or guide. They are elected by the people, and rightly so, but a two-house system does install checks and balances, not otherwise obtainable to hold in check any ill-advised or unwanted legislation which would not benefit all.

SWEENEY: Mr. Chairman, I would like to ask a question but not be docked any time.

CHAIRMAN RILEY: Without objection Mrs. Sweeney, the question may be entertained.

SWEENEY: I do not think bicameralism has to be sold and so I came here expecting to hear unicameralism sold, but if there is no sales talk on it I think we might just as well adjourn.

CHAIRMAN RILEY: I would say that any motion is entertained that is in order.

MCNEES: Mr. Chairman, may I answer the question and not be docked any time?

CHAIRMAN RILEY: Mr. McNees.

MCNEES: There are several proponents of unicameralism in the crowd. I well know that. The only reason I am reserving my comments at the present time is that I have had on committee work, a preponderance of public time for the presentation of the subject of unicameralism. I felt that it was better that it come from the floor for the time being rather than by committee. I am prepared to go at any time.

R. RIVERS: Mr. Chairman, Mr. McNees I believe is an able proponent of unicameralism and I subscribe to the old idea that the one who advocates the proposition should have the affirmative and also should have the rebuttal. I think to help this Committee proceed that we would all welcome the argument of Mr. McNees for unicameralism. Then I am willing to have him make his rebuttal after I get through talking without being docked any time.

CHAIRMAN RILEY: The opportunity is open to all.

EMBERG: Mr. Chairman, as a result of the recommendations from the Committee, I would like to hear from that Committee and the members of it.

HINCKEL: Well, I am a member of the Committee, and I came here to learn. I never learned anything by listening to myself, and I did not intend to say anything, but from the study I have made of the subject I feel unicameralism is the type of house that I think will give us the best representation. I come from a portion of Alaska that has never had any representation in the legislature, and there are a lot of other parts that never have either. To me, to devise a lower house that will give us the representation we should have Territory-wide and then also give us a Senate that will also be a fair distribution throughout the Territory in any way so that the seats in the Senate will not be monopolized by the big heavily populated centers, we will have a complete legislature of such size that we cannot afford it in my opinion. The arguments they have against the unicameral house, that is that they will rush legislation through in the heat of the moment, so to speak, and without sufficient judgment, I don't think it is true. I think if we only have one house that the people in that house will give more deliberation to the subject that they are discussing, and I think they will vote the way they feel they should and the way the people they represent expect them to and not just vote any old way having first knowledge that

the Senate is going to kill the thing anyway. I am not a very good speaker, and I can't express myself too well, but I feel real strongly about the subject, and probably on a different kind of debate, where I could get up and speak in rebuttal after somebody else talks, I could probably get up and say something that might make sense. But for the time being I have said about all I can. I am for a unicameral house on the basis that we will get a truer and better representation and have a better legislature.

CHAIRMAN RILEY: The Chair is noting just three and one-half minutes so you'll have ample opportunity, Mr. Hinckel.

NOLAN: Mr. Chairman, I don't think the people in the back are hearing what is going on.

CHAIRMAN RILEY: What is the situation as to the PA system in the gallery? Is there any hookup?

SOUNDSCRIBING ENGINEER: We have seen nothing of the amplifier -- I believe it is over in the gymnasium as of yesterday, however that is not our equipment and we have no control over it.

HELLENTHAL: Might I suggest, Mr. Chairman, that we move our tables up and permit the people that have visited us here this evening to bring their chairs into the main body. It will not offend my dignity.

LEE: May I move that we recess for five minutes so we can move the chairs?

CHAIRMAN RILEY: Mr. Lee asks unanimous consent without objection for a five-minute recess for rearranging purposes. If there is no objection so ordered.

(People moved chairs in from gallery at this time.)

CHAIRMAN RILEY: The Committee will come to order. I might suggest that to simplify the audience's hearing, the Chair certainly has no particular need to be addressed, except for recognition, and that the speaker, wherever he may stand, could perhaps address the audience to maximum advantage and catch most of those in the room from where he stands.

JOHNSON: Mr. Chairman, I doubt that we can do that because of the transcribing. We will have to face the microphone.

CHAIRMAN RILEY: Would it be the pleasure of the Committee that the speaker step forward?

COMMITTEE: No.

CHAIRMAN RILEY: We will see how it goes from the rear of the

room. Is there further discussion? Mr. Davis.

DAVIS: Mr. Chairman, as I understand it, the purpose of the meeting was to try to give the Committee some idea about the way the delegates felt on the question of a bicameral house and a unicameral house. So far as I am concerned, I am not going to take ten minutes or any fraction thereof. I believe that we should keep the traditional two-house system, and so far as I am concerned I have seen no demand or, for that matter, no request from the people of Alaska that we depart from that system, and I doubt seriously that were we to experiment with a one-house system that the people would be pleased with what we have done. My opinion is not such that it could not be changed, but that is the way I feel now, and I am willing to go on record that way.

CHAIRMAN RILEY: Mr. Fischer.

V. FISCHER: Mr. Chairman, I am not committed to myself one way or the other on unicameralism or bicameralism. I would like to make one point though before speaking on a specific point on unicameralism, and that is that I don't think we should talk in terms of will the people accept what we do. We are here as representatives of the people of Alaska. The people have not told us to go one way or the other. They have not demanded that we adopt unicameralism or that we preserve bicameralism. I think if this body by majority vote adopted unicameralism, that the people of Alaska are just as cognizant of all the factors as we would be in taking such action and would go along with this kind of a system. What I want to emphasize is that we are the people here and we should not worry about being on a higher plane than the rest of the people of Alaska. Insofar as unicameralism is concerned, I would like to bring out one particular point that to me carries more in its favor than anything else, and that is the better committee operation that you can have under a unicameral system. All of us who have worked here within the last few weeks have been engaged in committee work. We have seen the importance of committees for the actual formulation of proposals. A legislature basically is a similar body from that standpoint. The United States Congress is a good example. Most of the basic work is done in committees. Most of the studies and research and debates take place there. Most of the arguments are worked out there. Once a proposition gets on the floor of Congress, of either house, it is only a matter of final debate in the most serious questions of national importance. Most of the other things are pretty well worked out. Now I draw upon the example of the national Congress even though it has two bodies for the simple reason that they have worked out a committee system due to the large number of congressmen and senators that they have. It has generally been agreed that Alaska or any state legislature should not be overburdened with too many members due to cost factors and other considerations.

Taking this into account, if you have a 20-member House or a 20-member Senate or 22-member Senate in Alaska, if you have a 30-or 37-member House that means that each house of the legislature has to subdivide itself into a series of basic committees. They cannot get around that. They must study each bill, they must analyze it fully. That means that 20 people may have to spread themselves over 12, 14 or 15 committees, meaning that very little attention can be paid to any piece of legislation. In the unicameral legislature all the effort of all legislators can be concentrated in the work of the same number of committees that would be sufficient in one house of the two-house legislature. You could have twice as much study for each bill and probably much more thorough study since you would not have duplication and multiplicity of membership as you have in a two-house legislature, especially with a small number of members. I don't want to point to the Alaska Territorial Legislature. We probably should get away and think in terms of the state and the future rather than in thinking of what we have had in the past, although we are used to it and sometimes have to draw upon that as an example, but I am sorry to say that the committee system certainly does not work in a small legislature, as shown by what we have had during recent years. What happens is that the committees do not have time to go into the proposals, the members rush through bills, report them out to the floor because they feel they do not have time in committees to give them full consideration, therefore, let's throw them on the floor and give everybody a chance to talk about them. That is exactly what happens. You talk and talk and talk about various bills. They are amended time and again and sent back and forth to second reading, and the result is that the committee work is done on the floor of the legislature. To me this kind of operation does not result in the enactment of good legislation, and therefore I throw this out as one of the aspects of unicameralism that I feel has much to offer for the legislature of Alaska.

CHAIRMAN RILEY: Mr. Harris?

HARRIS: Mr. Chairman, I have not said too much at this Convention so far because I was sent up here by a bunch of people that told me, "Tommy, it is always best to stay quiet and let people think you are a fool than to open your mouth and prove it." But I have heard a lot of talk tonight on the one-party, two-party system. Alaska for the past two to three sessions has been a one-party system, kind of a one-party at a time, but we still must keep a system of checks and balances. Therefore, to my mind the two-house system has been more or less tried and proven and 47 of the 48 states seem to like the two-house system. In 1836, I believe, Virginia went from the unicameral house to the bicameral house. Evidently they had a reason. So since we have got something that we know has worked pretty good, I can't see much use in changing it.

CHAIRMAN RILEY: Mr. McNees.

MCNEES: Mr. Chairman, the legislature was originally organized as a check to curb the power of royalty. It had no representative functions. They did what the king desired and gradually this began to take shape and model out a form that we now know today as a democracy. They gradually assumed powers as the king was weakened. The king's powers lessened, the legislators' powers grew. It gradually split into a two-house system of legislation, one as a check upon royalty, the other one in the interest of legislation for the people. The members of the two-house system or the two houses of our present system are elected by the same people, from the same class of people. They are given the same legislative authority. There is no division on the basis of aristocratic lines or on the lines of wealth. There is no qualification whatsoever with regards to wealth and property. There is no need to give the two branches the same authority to do the same thing. Where they possess the same qualifications for office and where the work of the two bodies is identical, requiring that the work be done twice, identical action by each branch, although each branch has the same jurisdiction -- unreasonable, illogical, and required by no other government agency. This illogical procedure is well illustrated by what happened in our courts of justice. The case in court may involve a lifetime of savings. It may involve the liberty of one or more of the litigants. It may even involve human life, but however important may be the issue, it is unnecessary to have more than one trial. Under the guidance and control of the presiding judge each side offers all the evidence deemed important or relevant. When all the evidence is in, the attorneys argue the case to the jury. The jury retires and after deliberation renders a verdict. The judge renders judgment upon this verdict. This determination of the issue is then settled. It is ended unless the jury or the judge has violated some constitutional provision, in which case the entire trial is set aside and held for naught by the appellant act. This same check would exist in the legislative matters if we had the one house. First point -- if the legislature exceeded its constitutional authority in the enactment of any law, it would be set aside by the supreme court. Number two -- there would also exist the veto power of the governor. Number three -- there would also be the referendum provisions of the state constitution so that the people could by such referendum nullify any law passed by the one-house legislature, as they have the power to do so now. Let me trace, by way of an example, a bill through our present two-house system. A bill is introduced, we shall say in the house, stemming from the people. The first step -- by the house, it is referred to a committee whereupon the committee holds hearings. The committee then debates the question. The committee then reports the bill to the house. The bill comes up for discussion and debate. All members have the right to be heard. The bill is

argued in all its phases. The House votes. If the bill is passed the House then sends it to the Senate. We now have the bill in the Senate, and what happens? The same thing all over again, usually the same people testify before the Senate as testifies before the House committees. Finally it is reported out, debated, perhaps this time amended in some particular way, and so they pass the bill. The bill is then returned to the House for action upon the amendment. The House rejects the Senate amendment. The bill is sent to a conference committee. Practically all legislation over which there is any controversy goes to a conference committee. What is a conference committee? It is the third house. The conferees, usually free from the House and free from the Senate, take up the bill for consideration. Usually these deliberations are held behind closed doors. There is no roll call. There is no provision of law for a record of proceedings. The conference committee perhaps writes a new bill, modified perhaps, without any hearing whatsoever, modified perhaps without any publicity whatsoever, modified perhaps without any recorded vote. Is that democracy? If they agree, they report it to the House and the Senate. The conference bill comes up in the House and the Senate and it must be voted either up or down and that without amendment. That is a big point, remember it. There is no such thing as the amendment of a conference bill. Members may find provisions that they think are wrong, they cannot move to strike them out, they cannot move to insert good provisions that may have been left out. They must accept the evil to get the good. To reject the evil is to reject the good. This places the members of the House and Senate in a very unfavorable and unfair light. Modifications or changes of a bill have been made finally without public discussion, without the knowledge of the public, without any roll call, without any record, and it must be approved or disapproved as a whole. If the House or Senate (either one) rejects the conference report it goes again to the conference committee, and in the few days of a session especially, this means death to what otherwise might have been a good bill. What a terrible waste of man power, time and expense! Now let us trace a bill through the one-house legislature. The bill is introduced to the single house, considered by the proper committee, hearings are held, subject is exhausted on the floor with every person given a chance to speak. A vote would be taken, any amendment offered would there be fully discussed and voted upon. The vote would be out in the open. Immediately the public would know with the next issue of the paper or the next radio broadcast at breakfast time, just what the record of the public servant was. Not only would they be able to punish the unworthy servant, but they would be better able to reward the one who is faithful. I could go on and on, but I'm not going to do it. My time must be about up.

CHAIRMAN RILEY: One minute.

MCNEES: The merits claimed for the unicameral system -- membership in a single chamber carries greater prestige, dignity and greater opportunity for public service than membership in a bicameral legislature, and hence attracts more distinguished, outstanding and representative citizens. A single chamber operates more efficiently than two and is able to give more thorough consideration to proposed legislation than two chambers. By the adoption of suitable rules of procedure and the establishment of effective committee systems it can insure that every measure is carefully reviewed before it is acted upon, with adequate safeguards to prevent hasty action and thus avoid the serious ills of the closing rush that pertains in many states. The jealousy, friction and rivalry in the two houses is gone. Responsibility can be definitely fixed. A single house facilitates the development of essential leadership. The single house permits closer and more effective relationships between the governor and executive departments and the legislature. Some observers in the Nebraska legislature claim that a single chamber law-making body reduces the power of special interest groups and lobbyists to defeat needed legislation and at the same time makes it easier for the groups of citizens who are interested in pending legislation to present their recommendations openly and above board to the legislature. The unicameral legislature does away with the need for conference committees. We have covered that. I won't go into detail on it.

CHAIRMAN RILEY: Mr. McNees, the Chair is obliged to call time on you.

R. RIVERS: I ask for unanimous consent to give Mr. McNees another five minutes. He is making the primary presentation of the affirmative of that proposition.

CHAIRMAN RILEY: Without objection, Mr. Rivers has asked unanimous consent. So ordered. Proceed, Mr. McNees.

MCNEES: The unicameral system facilitates public reporting of the work of the legislature and this is very important. If the press is in, the public is in, and the issues before it enables the public to keep informed on the course of legislation which should serve to increase the public confidence in the legislative body. The unicameral legislature results in substantial savings money-wise, and who does that not make an appeal to? The cost of the legislature itself is reduced because the number of its members and the size of the legislative staff are reduced. There are many many other advantages, but I want to take just a few minutes that I have left and point out that unicameralism is not limited to Nebraska. Canada -- nine provinces with eight of the nine, unicameral. They have found that they have better laws and less expense, while the activities of corrupt lobbyists are cut to a minimum. Finland -- the little republic of Finland has been so well governed that it

is the only European power that has the financial ability to meet the installments of war loans due to the American government. Finland has been a one-house legislature for 37 years. England -- even though the House of Lords exists it is in name only, and it is essentially a one-house legislature. The history of unicameralism in the United States is not, has not, and will not be limited to Nebraska's very short term with it. It is significant that three states -- Pennsylvania, Georgia and Vermont for varying periods of time operated with unicameral legislatures. Georgia abandoned its unicameral plan in 1790, apparently influenced by the pattern of the national Congress. Pennsylvania did likewise in 1789, apparently because of dissatisfaction with the council of censors and with the executive council which acted as a plural executive. The new constitution created a second house of the legislature, abolished the council of censors and established a single executive. Vermont -- the longest experience of any American state with the unicameral legislature was that of Vermont, from the year of 1777 until 1836 -- a period of over 59 years. This experience, after a legislative deadlock that year in the election of a governor, none having received a minority at the last general election, the recommendation of the council of censors for the adoption of a bicameral legislature was approved by a close vote. It was found after close study of the merits claimed for the bicameral system were not realized, and that as far as can be judged from historical evidence, the previous unicameral legislature worked as well as if not better than the succeeding bicameral legislature. Now the big question -- why have not more states adopted it if it is so good? Here is the answer. Out of 197 bills introduced into the various state legislatures across the nation in the last 25 to 30 years, 189 were introduced by the House, the body representing the people. Eight were introduced by the Senate. Of the eight introduced by the Senate, they all died in the Senate. Of the 189 introduced in the House, 176 of them passed and went on into the Senate and were all killed in the Senate. I thank you.

R. RIVERS: Mr. Chairman, I appreciate the sincerity and the persuasiveness of Mr. McNees's case. I wonder if the Senate did not kill those bills for changing the form of those state legislatures because it exceeded the constitutional authority of the legislature to change its own form. I would not know. The reason that I advocate staying with the bicameral system is largely a matter of representation. I think of the United States, as big as it is, having had through the years the heavy center of population east of the Mississippi River. I think of a one-house body based upon proportional representation which would absolutely dominate the whole United States. I think of the western states and the more sparsely populated area as not having any check on legislation, such as would be controlled under proportional representation in a one-legislature congress. The reason that our constitution was drawn to

give equal geographic representation to all the states, and that is in the form of two senators for each state, was that the highly populated area could not absolutely control and dominate the whole country without some check in behalf of the less populated area. The United States Senate sometimes shows as much liberality as the House of Representatives, at one time showed a little more with regard to statehood for Alaska. The Territory of Alaska, one-fifth as big as the United States, is a diversity of economies and could be several states if you want to look at it from the standpoint of size and also from the standpoint of industries and diversity of activities. Southeastern is as different with its forests and its fish from the Fourth Division with its mines and furs, as one state would be from another. Then westward, the Alaska peninsula, the Arctic, Nome, and the northern westward is so different that very few people in Southeastern Alaska have ever been up to see what it looks like. I used to be grateful when the First Division had headquarters with the capital and all the brains and all the influence used to "wag the whole dog around" and practically run the Territory of Alaska. The only safeguard in those days was that you had a Senate with two senators from the Second Division, two from the Fourth and two from the Third. Now conceivably as the golden heart of Alaska might be the great power with the big build-up in the future, that would be "wagging the dog", but I am not saying that it will. You have the example of the Third Division that now outstrips by population any other division by two at least, and you can visualize that a one-house legislature with straight proportional representation would place at the present stage of history a preponderance of strength in the hands of the Third Division. It is conceivable that in the course of events the First, with its forests and its development down there might again become strongly preponderant over any other part of the Territory. But nevertheless, we are so widely scattered, we have such a diversity of economies, there are so many people in the Second Division that have never spent any time in the First and so many in the First that have never spent any time in the Second or the Fourth or the Third, that don't know anything about the rest of the country, that I hesitate to see a unicameral legislature based entirely out of proportional representation. I feel that with a country as big as Alaska that you should have one body with equal geographic representation. I am not saying that we would be sticking to the four divisions as we have known them, but from the standpoint of economic areas based on widespread geographic locations, you would have something similar or comparable to the four divisions as far as districting for senate representation is concerned, so that is the primary reason for Alaska. Notwithstanding all the good arguments in favor of unicameralism which have been introduced by Mr. McNees, I favor the bicameral system for the State of Alaska.

MCNEES: Mr. Chairman, may I ask Mr. Rivers a question? Does he not consider this present group representative of the people

of Alaska, our 55 Delegates to the Convention?

R. RIVERS: Yes, I do consider this group representative for the purposes of writing a constitution. There is no great diversity of policy to be considered. We are not appropriating money or taking anything away from the taxpayers. We are not trying to "slice the pie" a little thinner for one group or thicker for the other. I have every respect for the fine widespread representation that exists in this body.

KILCHER: Point of information. If I am right, I am of the impression that the public was also invited to take the stand on the issue tonight, or am I wrong?

CHAIRMAN RILEY: I recall noting the story in the press, Mr. Kilcher. I don't know its source. I believe that if any member wishes to call on the public that he may ask for the privilege of the floor for that member of the public. Subject to correction, why that's the way I understand it.

KILCHER: In that spirit I would invite the public in general to do so. I have no personal acquaintances among them that I know would like to speak.

CHAIRMAN RILEY: Mr. Barr.

BARR: Mr. Barr, this Committee of the Whole was called for the purpose of airing the views of the different delegates. This matter of the one or two-house legislature is the business of the Legislative Committee. Our different committees hold public hearings and invite the public to take part, and I believe that is the time the public should state their views, when the Legislative Committee holds a public hearing.

CHAIRMAN RILEY: Mr. Doogan..

DOOGAN: Mr. Chairman, I may have to be corrected, but if I recall correctly when Mr. McCutcheon, the Chairman of the Committee that asked for this public hearing, he stated that the purpose was for the delegates and for the public to participate.

CHAIRMAN RILEY: Mr. Egan.

EGAN: Mr. Chairman, in order to attempt to clear the situation, I would put a motion on the floor and that would be that if there is any member of the audience who would desire to be heard before this Committee of the Whole on this question, that he be granted the privilege of coming before us and stating his opinions if he so desires. I would ask unanimous consent.

V. RIVERS: I would object temporarily until we have heard the delegates express their opinions. I think we should not invite

the public as a whole until after each member has had a chance to say what he has to say on this subject.

EGAN: Mr. Chairman, that would be acceptable, waiting until all the delegates who wish to speak on the subject have been heard.

DOOGAN: Second the motion.

CHAIRMAN RILEY: Mr. Doogan, would you withhold your second for a moment? Is there further discussion from the membership? Mr. Hurley?

HURLEY: Mr. Chairman, I rise to point out what appears to me to be an inconsistency (I may be wrong here) on the part of the people that support the unicameral legislature. I can't think of any way of organizing a unicameral legislature without by necessity diluting the area representation. I can see where they will get area representation coupled with population representation, but by nature I think it will reduce area representation over a two-house legislature. I wonder if those people, while advocating that dilution, will also demand of the United States Congress the seating of two Senators from Alaska which is purely on a basis of area representation. If they do, I think they would be inconsistent.

ARMSTRONG: I agree.

CHAIRMAN RILEY: Is there further discussion from the delegates? Mrs. Sweeney?

SWEENEY: Mr. Chairman, I would like to say a few words. In connection with Mr. McNees's statement concerning the three states which at one time had unicameral legislatures, he also mentioned that at the present time Nebraska was the only state. He failed to mention that Nebraska has a non-partisan legislature and attempts have been made at various time to return the legislature to a bicameral system. You might be interested to know, and I believe many of you do know, that there have been attempts made to have the unicameral system in Alaska. In 1945, House Joint Memorial No. 12 was introduced by Representative Chris Henning. This was introduced on the 33rd day and of course was sent to the Committee on Elections, Election Returns, and Mileage. It was reported out by the Committee the following day with a "do not pass" with one of the committee members not concurring. It was placed on the calendar then for a second reading. No one was interested enough in that House Joint Memorial to see that it was read or that action was taken on it until 17 days had elapsed. On the 51st day it was read for the second time. The rules were suspended, it was considered engrossed and was read for the third time and the question was asked -- "Shall the memorial pass?" and it failed. It failed by a narrow margin -- 11 to 12 and one absent.

Later in the day one of the representatives gave notice of reconsideration which was then taken up on the 52nd day, and during the night he was able to swing not only himself but another to the other side, and so the memorial passed. However, it was so late in the session that the Senate refused to accept it on a vote of three to thirteen. That was in 1945. In 1946, House Joint Memorial No. 4, also by Chris Henning, was introduced on the 13th day. It went to committee and reported out "do not pass", with three members of the committee, Stan McCutcheon, Andrew Hope and Mr. Taylor returning it "without recommendation." It went to second reading and was brought up for reading on the 19th day when there was a motion made to lay it on the table which carried eleven to nine and three absent. It was laid on the table. Absent at that time were Stanley McCutcheon, Mr. Taylor and Mr. Peterson, The following day the author moved to call the Memorial from the table, and the call was successful and then it was to be brought up on the 23rd of March for final consideration and second reading but it was delayed and not brought up until the 29th. At that time it was read the second time, the rules were suspended, it was considered engrossed, read the third time and the question asked, and it failed. Now I bring this out to show you that in '46 it failed in the House. In '45 it failed also, except that on a reconsideration vote it squeaked by. If someone were really interested in unicameral legislature it seems to me that the author at least would have seen to it that that memorial, since it had already come out of committee, would have been read. It was on the calendar. It would have been read and action would have been taken before it was too late to be received in the Senate without the necessary vote after the certain period when no bills or memorials could be received. I think that the most important consideration on this business of whether we are going to have a unicameral or bicameral legislature is whether we can get the approval of the citizens of Alaska and the members of Congress. Now Mr. Fischer has told us that we have been elected by the people. We are the people and that if we put in a unicameral system or any other system, that should be all right. We should accept it then as all right, but if that is the case, why are we putting the constitution before the people for approval? I believe this is not just something that is up to us entirely. I think we have to reckon with the fact that we must get approval of a unicameral legislature if that is what we put in the constitution and there is a question in my mind whether you can get that and whether you get it from the people of Alaska and Congress too, I am not sure, but I think we should be very careful. I feel very strongly about this, that we must have the constitution so good and so easy to get an approval on so that it will go through, and I hope that everyone will consider the importance of that. I think that if we do not go to Congress with some assurance that the unicameral legislature is going to work in Alaska, then we will find ourselves waiting, not to be the 49th state but the 50th state. The legislature

in Nebraska being a non-partisan legislature, is no criterion for success of the unicameral legislature in Alaska. We have a two-party system here. Since coming to the Constitutional Convention I recognize that there is even a third party on the way, and so with a three party or two party strong system in a unicameral legislature, we cannot say because it is successful in Nebraska, it will be successful here. Mr. Hinckel thinks we would get better representation under the unicameral system. I hardly think that is an argument for the unicameral system. I believe that the apportionment of delegates to the Senate and House of Representatives in the new State can be worked out so that all the areas will be properly represented. I can't go along with many of the arguments that Mr. McNees stated. He would have you think that he has gone through a legislative session in both the House and the Senate, that it is very easy to get a bill through the House and the Senate, and I would grant you that that might be easy if you had a very simple bill such as the bill which was passed in this last session to designate Marie Drake's "Alaska Flag" as the song for Alaska. However, in the question of introducing a bill on which there is a great deal of question and the bill squeaks through one house on a majority of one, it is not as easy as he has made it appear. I think it is very important that where there is division of opinion that we should have the check of the other house. If you have a wide difference in a single house, even though those representatives were all elected by the people of the state, you would still have, maybe just one person throwing the bill into an act -- he tells you that the legislators will have greater prestige and dignity, there would be more distinguished legislators, more effective legislation, closer relationship between the legislature and the executive. It would reduce lobbying, it would facilitate publication or newspaper printing and save moneywise. How can he say that this is so? How does he know that we will have more distinguished representatives? How can he say that it will be more effective? We will we have a two-party house, if it is unicameral and we cannot go by and base it on the Nebraska legislature. I have a number of other things here that I would like to mention. There was something about better legislation but as I said before, I don't know how they figure they can have better legislation on the unicameral system. If our procedure under a two-house is not good enough, it is our own fault and it is our business to see that our legislators are doing a better job than they are. As I mentioned the other night, we are a republican form of government, and operating under democratic principles and under the republican form of government you have a system of checks and balances which gives us our executive, judiciary and the legislative branches. It is a system that has been in effect for centuries, and I feel with this experience that we should go along rather than to go on the untried unicameral system for which we have absolutely no basis of success.

CHAIRMAN RILEY: Mr. Victor Rivers.

V. RIVERS: Mr. Chairman, I have listened with a good deal of interest to the unicameral comments. When I came to this Convention I did not come here with any direction from the people whom I knew in our home country, to give deep consideration to unicameralism. I saw no one run on any ticket in which they came out and strongly advocated that we should have a unicameral legislature. I happen to know that there were three people in the Territory who advocated unicameralism and who were candidates for delegates and all three of these people were defeated. They are not here with us tonight. We have no mandate that says that we should give deep consideration or go to a unicameral type of legislature. I was a member of the Statehood Committee, and as such I am a great believer in presenting to the delegates all of the facts insofar as we possibly could. I was a strong advocate of the idea that we get the best theory that we could possibly get and that that theory then be presented to us in a form such that it was unbiased, present the theory from both sides of view, and we have done so with the work of the PAS. They have presented you as nearly as possible a balanced opinion on the questions that would come to this Convention. Along with that I have been a strong advocate, as you all know, of having with us the best theory we can get in the way of personal consultants. I want that theory. I want to know what the theorist thinks is the very best for us and then from that point we must take a hold and apply the long experience, the practical approach and the touch that we know that is best for the people of Alaska. We must apply the common sense touch that will be the answer to the problems of government for our people here. I have heard it said tonight by one of the delegates that it was not our problem to answer back to the people, or words to that effect, in regards to what we did here. We were their elected representatives and as such, were the people. However, I feel differently than that. I feel we are answerable to the people, and I feel we should come up with something that we know is not only the best for us and the best for them and also satisfactory and acceptable to them. I just wanted to read a little bit from the comments of the PAS in their handbook to us on this subject. On the one line they say, "The advocates of unicameralism can make, on paper at least, a very reasonable case." I want to read you this summary now of the two types of legislature. "There are no inherent reasons why either sort of legislature cannot work satisfactorily. The theoretical case for the unicameral body is good, yet only one state has adopted this form and no more are likely to in the near future, unless Alaska chooses the unconventional but not unprecedented course. As Dr. Graves observes, the opinions of the people who ought to know vary widely, in fact they are often diametrically opposite. A large majority of political scientists favor unicameralism while an overwhelming majority of persons with actual legislative experience are opposed to

it. Delegates to the Convention can weigh arguments, on the one side -- tradition, experience, the possibility of the double check, on the other side -- simplicity, economy, clear responsibility." I want to go into that matter just a little bit. We have had in the United States, as you know, through all history, with the exception of the first three states, Pennsylvania, Vermont and Georgia, the bicameral type of legislation, and on the other hand in Canada you have provinces all of which have unicameral legislature except the one of Quebec. Quebec has some 594,000 square miles, is the largest of the provinces and very similar to Alaska. However, I want to say that in Canada they did not have the separation of the legislative and executive powers. They have the governor general appointed by the Crown. The Crown appoints in each province a lieutenant governor. The lieutenant governor then is the governor of that particular province. They elect the representatives to their one house. From that one house then is chosen what is called the cabinet. The cabinet sits as the year around executives under the lieutenant governor. You really always have sitting a second legislature in the form of that cabinet who are from among the elected representatives in the one-house system. It is in no way comparable in my opinion to the problems of government in the United States. We have had a good chance to observe in the United States three states which have chosen to go from unicameralism to bicameralism -- Vermont, Pennsylvania, and Georgia. Now it is my opinion -- we were told otherwise by another delegate tonight -- it is my opinion that in all probability those states went from unicameralism to bicameralism at a time when communications were slow, travel was difficult. It is my opinion that the people in those states did not feel they had the proper check and balance. I have been in the legislature a number of times, as many of you know. It has been my experience that even though after careful weighing, careful consideration, the hearing of all arguments by each house or by the first house that handled a bill, that many times after that measure had passed the first house, that there were voices heard from different parts of the Territory, there were different issues brought into the picture, that radically changed the condition and the situation of the thinking, even of the people in one house who had sometimes passed the bill. I have had men come to me from one house and say "we did not find this out; we did not know this was something that affected the First Division, the Third Division, the Fourth Division; we did not have their voice so for that reason we wish you would change this matter in the Senate." I have had the same thing happen in the Senate where they did not have the complete details. Some people might say that we have a similarity between a one-house legislature and a city council. I want you to realize that in a city council, the people that the city council is serving are people living within a radius of perhaps five or ten miles. A city council sits every week. People can come to the city council and express their opposition, and they do frequently.

The next week if they haven't had their voice heard they can raise their voice again, but that does not compare to handling the area of a state as large as ours would be, 684,000 square miles, one-third of the area of the whole United States. It seems to me we must have this additional check and balance of the two house system in order to get a proper voice from the people in the more remote areas. I feel sure that the people who espouse this matter of a unicameral house are sincere. I feel certain by that they are honest, but it says here that the practical men in politics realize that the two-house system best serves the American system. It's so because in Canada your people are a different type of thinking people. They are not the driving, aggressive, energetic people, that we have in the United States, in many ways. At least that should be true in the matter of forcing legislation through their government. They don't pass as many laws, they don't seem to have as many lobbyists. We know it's a fact that our government --

CHAIRMAN RILEY: I'm sorry Mr. Rivers, I don't like to break in on you but the stenotypist is having a little difficulty. May we call a five-minute recess while the machine cools off and your time stands still?

RECESS

CHAIRMAN RILEY: The Convention will come to order. On recessing Mr. Barr asked that unanimous consent be allowed Mr. Rivers to extend his time two minutes for the interruption of trend of thought. Without objection, was there an objection?

V. FISCHER: I would like to object for the sake of saying this has given Mr. Rivers more chance to think. (Laughter) I withdraw my objection.

CHAIRMAN RILEY: Is there objection? Without objections, so ordered.

V. RIVERS: I want to say then I have watched this Territory prepare for statehood and in my small way have been a part in helping it prepare for statehood for many years. I want to say briefly that after the big depression of the '30's, Alaska was in dire circumstances. We had elected Tony Dimond to office and his first move, of course, was to try with the administration to help get a raise in the price of gold. We got it. The next thing, of course, was to try and stabilize and get temporary employment for people who were unemployed. That came through, and it became evident that Alaska was geographically very strategic and a strong defense program was organized. But at that time the military coming into Alaska saw the undeveloped condition of the Territory, and at that time it became more and more evident we should have a well developed economy functioning normally in order to have

the best defense. It seemed only logical to get such an economy functioning normally that we should have a state government, and as far back as '37 we talked about such things and began to prepare for it. And under the two-house legislature which we had, 16 members in the Senate and 24 in the House, it was changed, pardon me, in '41. However, under that we passed many things. First came Social Security, welfare department, public health. We instituted and established a highway patrol which was to be the nucleus of the state police. It was told us by members of one of the congressional hearings that we did not have a firm revenue program. Under our system of legislation we passed a firm revenue program. We have no bonded indebtedness. We have money in the treasury. We are paying our bills. Those things have all been done with our two-house legislature, and I for one want to say that it has worked successfully in the Territory of Alaska. I also want to concede that there are areas in which there should be better geographic representation. I think that is one of our duties here to get proper proportioning in the matter of representation in this legislature when we set up this constitution. I just want to read you again though one line here, but before I do I want to say that in this Constitutional Convention and in this constitution we draft, we have many hours of work by many people. We have many private dollars invested on trips to Washington and hearings before Congress. We have at stake here some \$300,000 of taxpayers' money who want to see us come up with a constitution which is acceptable, not only to the people of Alaska, but also to the members of Congress. I want to read a line to you again which I read before: "An overwhelming majority of persons with actual legislative experience are opposed to it." (Meaning the unicameral legislature). Now remember that if those men are opposed to it, the practical men with practical experience, those are the men who are going to have to approve the constitution for the State of Alaska and grant us statehood when it comes before Congress. I want to say again that I believe the people here are all honest and all sincere. Those who are favoring unicameralism -- I believe they are sincere in their beliefs, but I believe it is up to us and believe that if we did not adopt a bicameral legislature that we would be guilty of a great error in judgment, and I want to say that I hope and I will work hard for and continue to work hard for the establishment of the bicameral legislature or the two-house system of representation because I think for an area this large, where transportation and communications are apt to be delayed, it is the best system for Alaska. It has also proven to be, with our energetic, fast-moving, hard-pushing American people, I think it has also proven to be best for the states, or there would not be 47 states using it today. (Applause)

CHAIRMAN RILEY: Mr. Fischer.

V. FISCHER: Mr. Chairman, I would like to have permission to clarify a statement I previously made. Apparently it is being misunderstood or misinterpreted.

CHAIRMAN RILEY: You may proceed, Mr. Fischer.

V. FISCHER: I said before that among other things that we, the 55 delegates are the people. I did not mean in the least to imply that since we are the people that we are above the people, that we are not answerable to the people. What I meant to say is that we should not put ourselves in a separate category from the 200,000 Alaskans who sent us here. They are as intelligent as we are. If something makes sense to us, it will make sense to them, and therefore, we should not keep talking about them as something apart from us, something a group that we aren't sure will understand what we are talking about. In other words, what I meant to say was that as representatives, we reflect the thinking of Alaska. Certainly what we come up with is subject to a referendum approval. There is no question about that, and certainly we are answerable to the people.

CHAIRMAN RILEY: Miss Awes.

AWES: I would like to make just a few remarks prompted by statements made this evening.

CHAIRMAN RILEY: You may proceed.

AWES: We just had read to us the portion of the summary of the considerations of the two methods of two types of legislatures. I would like to fill out the picture by reading the last two sentences of that summary. "Alaska's relatively small population and the economy and simplicity of the unicameral legislature seem to argue in the favor of a single house. On the other hand, the apparent satisfaction with the two-house system in the Territorial legislature makes any departure from tradition difficult." That again places the final argument in favor of the two-house system on the basis of tradition. It seems to me that most arguments in favor of the two-house system so end. Now I am not opposed to tradition as tradition. However, I do not think we should follow it blindly but ever so often we should reconsider tradition in the light of present-day conditions. I did not run on the platform of the unicameral legislature. However, I did run on the platform that this body should seriously consider the unicameral legislature before deciding on which form it should adopt. As you can see, I was not defeated by running on that platform. There has been much talk tonight as to what the people want and putting in what the people want. I agree that we are here as representatives of the people, but I believe the people elected us to draft the best possible constitution. We have an opportunity that Alaskans have probably never had

before, in our opportunity to study the two types of legislature. I think we have the obligation to do that and to adopt the legislature we conclude is the best type, and if those reasons are sufficient to convince us, they will probably be sufficient to convince the people, if adequately presented to them.

HINCKEL: I have already spoken. May I speak again.

CHAIRMAN RILEY: You have not used your time, Mr. Hinckel. I believe you have several minutes left.

HINCKEL: I stated before I am on the Legislative Committee, and I ran for this body not on any particular platform of one type house or the other, but I did tell the people that I would try to see they got the best type of constitution that we were able to write for them. And I think that, as Miss Awes more ably stated, well in other words I concur with most of the things she said. I think there are some things we have forgotten on the apportionment. I know that from attending the committee meetings I not only attended our own meetings but I attended a lot of the other meetings, that it is quite possible to apportion the legislature so we will have better representation with a single house than we could hope to have with both. That is merely my opinion. The main thing I wanted to say when I got up this time was the constitution must be written for one type of house or the other, and the Committee in discussing it felt that the time to decide that was now. It is my opinion that a lot of the state legislatures, had I been sitting on them, I would have gone along with them just exactly the way they did and refused to change because they already had everything else set up for it. But the experts that have written all the data that has been submitted, both for our own and for the Hawaii constitution, they all tell us that the one-house system is the best but usually go back to the same answer that Miss Awes stated -- that it is a tradition that we have the other kind. If we are going to have two houses, why now is the time we have to know it because if we write a constitution for one house and then attempt to change to two, we are going to have to have a constitutional convention and rewrite the whole thing and make it work and vice versa. If we write it for the two, and then want to change to a one because all of a sudden everybody else thinks it better too and they all start changing, we are going to have to tear ourselves all apart and put it together again. It was the consensus of opinion in the Committee that those are things we ought to find out now so as to stop wasting time and get things rolling in all the committees. That is the reason that I have spoken in favor of it as poorly as I have done, but that was my idea in working for it that I think it should be considered very thoroughly, and if we are going to consider it at all, now is the time to do it and not later on.

CHAIRMAN RILEY: If the Chair may make an observation, Mr. Hinckel, I think your point is well taken in that it represents the thinking of the body in resolving itself into a Committee of the Whole because of the inter-relationship of the two questions. Is there further discussion? Mrs. Hermann?

HERMANN: I just wanted to add a little historical footnote to the remarks that Mrs. Sweeney made about the efforts to secure a referendum on the matter of a unicameral legislature. I am a little older than Mrs. Sweeney and I have probably been watching legislatures a little longer, but way back yonder in the '30's there were two attempts made to pass a referendum providing for a unicameral legislature. There was also a bill introduced to provide for a unicameral legislature, and it was killed in the House, not in the Senate, but in the House. Both of the bills providing for referenda on the matter -- one in one session and one the next session, were likewise killed, and it is my recollection that they were killed in the House and not in the Senate, so that the legislature of Alaska itself has written a considerable volume of history in regard to the unicameral legislature. I think Mr. Fischer's statement of comparison with the value of committee work as applied to this Convention is probably a little bit premature. His suggestion that it is working so well here might also have a footnote in a day or two when some of these committee reports are turned loose on the floor. I hope he will not have a rude awakening at that time. There is little to say as far as I am concerned in regard to the merits of unicameral or bicameral houses. I think the time to say it is on the floor when we finally are going to vote on this measure, but I do think that it is advisable that everybody here stand up and be counted on how they stand on the matter at the present time, so that the committees may have some idea on what sort of report to bring out in regard to that particular angle of their work, and I am perfectly willing to tell the world here and now and next week also, that I favor the bicameral system.

CHAIRMAN RILEY: Mr. Egan -- if I may correct the Chair and recognize Mr. Barr. While I had recognized Mr. Barr earlier, no time was charged against him.

BARR: Mr. Chairman, I yield to Mr. Egan for the time being.

CHAIRMAN RILEY: Mr. Egan.

EGAN: Mr. Chairman, I know that each delegate who is in favor of the unicameral system is absolutely sincere. I have talked to every one of those people who have spoken on that subject so far, and it has occurred to me and been my observation in my conversations with those delegates that one of their chief worries and one of their chief reasons for being for the unicameral system is that there has been a fear in their minds

because of the past situation that has existed in Alaska. Now, I am absolutely certain that we are coming out of this Convention and are going to write into the constitution that comes out of this Convention, an apportionment feature in the constitution that will be accepted by, if not all the delegates, by almost all the delegates in the Convention and will be adopted into the constitution that it will be as fair an apportionment as is humanly possible to come up with at this time. I would like to point out that in Alaska the trouble has been, and I think the trouble that has caused most of these fears and most of the support for the unicameral system has been that we have not even had a bicameral system of legislative apportionment in Alaska. We have had a running-wild system, you might say, both in the makeup of the Territorial Senate and the makeup of the Territorial House. Our citizens here have not had the opportunity to view, so far as their Territorial government is concerned, a bicameral system of legislative bodies in action, and I feel very strongly, personally that at this time it would be unwise to adopt the unicameral form of government. We know that our United States has become the freest, the fairest and the greatest nation on earth under the bicameral system, and I hope that this Convention will continue that form of legislative government.

CHAIRMAN RILEY: Mr. Barr.

BARR: Mr. Chairman, I would ask the Chair to give me a warning about a minute before my time is up, as I don't want to leave a thought or a participle dangling in mid-air. I will submit to you that the ideal system for a legislature is the unicameral or one-house legislature, and that is just exactly what is wrong with it. It is an ideal. It is backed by theorists who have never had any experience in the practical applications of their theories. The unicameral system would work very well if human beings ceased to be human, if every voter got out and voted and every voter was aware of what he was voting for and acquainted with the candidates and if every elected man that was a member of that legislature were a statesman, then it would work, but unfortunately human beings are human. Now, I would like to give you a couple of illustrations of why we should have two houses. You have heard many times that our American system of government is based on checks and balances. It is in our present legislature. There are three forms of government to serve as a check on each other, and we have courts for that purpose -- we even have auditors, examiners and erasers on lead pencils for that reason. Now in the past I have served in the legislature, and I have seen the time I was very thankful we had two houses. I will give you two examples. The first one most of you are acquainted with, so I will not go into details on that. That was the time the House passed a so-called "luxury tax" which in effect really was a sales tax. It was passed by a large majority in the House. They thought it was a good tax and they were

concerned with raising more tax revenues. It was needed, I will grant you that. They were immediately flooded with telegrams and letters from everywhere protesting this tax, but meanwhile it had gone to the Senate and was in the taxation committee in the Senate. I doubt it would have passed the Senate even before the protest came in, but it failed in the Senate, and I have never seen anyone more thankful for two houses than all the members of that House of Representatives. The Senate really got them off the hook. Now, I will reverse the case. In the Senate there was a member who was an experienced legislator and a well-respected lawyer in the Territory. He submitted a bill which was a fairly complicated one, that was designed for a very good purpose, but during the debate in the Senate it was brought out that if one section of that bill was interpreted a certain way it would stop all the placer mining in the Territory, or at least start litigation in that direction. That bill passed the Senate and went to the House, but by this time the author of the bill was greatly concerned. He was afraid he would not be able to go home and face his constituents because it was a mining division that he came from, so he contacted certain members of the House and it was amended in the House to take that possibility out, that there would be any harm done or restriction on placer mining, and that bill is now a law, and the mining fraternity is still in existence and still doing business. That was through an oversight which is a very likely thing in a long and complicated bill, and it was corrected in the House. I have seen many other examples but those are two. We should stick to the system of checks and balances. I want to say that I was just as concerned as Mr. Hinckel here with the lack of representation from the outlying districts. I have been in more outlying districts perhaps than Mr. Hinckel. I have spent all my life in Alaska. I know they would like to be represented. I know there are able men who are willing to represent them. The reason they don't is because they can't be elected. We only have four election districts, the four judicial divisions and each one has a large center of population. But a unicameral or bicameral legislature does not cure that problem at all. The only thing that will cure that is the redistricting for the election and reapportionment. No matter what form of house we have, if the electors in a certain outlying district have a chance to vote for their man, they will get representation. Mr. Rivers here said that this body very well represented the people. I grant you it does, it represents the people a great deal better than the legislature, and why -- because the Territory was redistricted for the election that sent us here. Now Mr. Fischer here has studied this matter from books, but there are a few things he does not seem to realize, even says that everything in a unicameral legislature will be brought out in the open and debated on the floor. He seems to think there will be no committees or at least no committees behind closed doors. That is a system that has been in existence for 170 years in all state legislatures and in the

Congress of the United States. There is a reason for it because they can do their business better. They are not afraid of what you think of them for what they do. They are afraid testimony might come up that will hurt some outsider and I have seen that happen in committee right here. When we were talking about former governors, things were said about former governors that brought up points that we wanted to bring out to clinch an argument. That could not be done in the public. We are operating under a republican form of government. The people delegate their authority to members of the legislature and they trust those members of the legislature to do their business for them and do it the best way possible, which sometimes should not be open to the public. It is said that the State of Nebraska, the one state that has a unicameral legislature which works very well. I am not well acquainted with Nebraska. Very likely it does, but a state more unlike Alaska could not have been pointed out. The geography is different, the terrain is different, the people are different. We have different races up here, different industries, most of the people in Nebraska are farmers or cattle raisers. They are all very conservative and while every Alaskan that I ever met was a distinct individual. Also it was brought up that it works in Canada and Europe. Well, it probably does. Our forefathers came to this country to get away from the European system of government. Don't let us import it to Alaska. Now it was said also that the closer relationship could be had between the governor and a unicameral legislature. I believe that is so, especially if the governor was trying to control them and also perhaps if the governor was of the opposite political faith than the majority of the legislature -- there would be more wrangling, more confusion and less done. A one-house legislature also might be more easily controlled by a special interest group or lobbyists. It would be very difficult to control two houses. Now, when we are granted statehood, we are going to launch our ship of state on her maiden voyage -- an untried ship with an untried crew. What system of navigation shall we use? Shall we try the old tried and true system that has steered 47 states through these past years or shall we try a new system advanced by theorists that has no system of checks and balances and one in which we would not know where we are going? I don't believe that the people of Alaska would want to try that. It is too early in the game when we are starting our state, and we want everything to work and work properly.

CHAIRMAN RILEY: Mr. Peratrovich.

PERATROVICH: Mr. Chairman, what I have to say will be very brief, but I want to get up, as Mrs. Hermann suggested, to be counted. I have expressed my view to quite a number of delegates here upon my arrival. Much to my surprise this has been a primary question in this Convention, and I am glad we gathered here tonight to try to arrive at some conclusions and with that thought in mind I wish to offer my conclusions tonight.

I gather from what has been said here, the primary concern is the true representation of all areas, and I can sympathize with Mr. Kinckel, because I am more or less representing people of this type. However, I made it very plain when I was approached on this topic that I would never obstruct any constructive move. I am here to see that if I can contribute, in my own little way, to draw up a constitution acceptable to the people of the Territory. I might add, friends, that I worked mighty hard for statehood of Alaska and I'm still plugging. My area is limited, but there are voters there too. They are very much concerned, and I think it is only fair that they should have a voice in the state of Alaska, and I am very much encouraged after I listened to two or three speakers here tonight. Perhaps there will be reapportionment. I think that is the solution. My mind has been open on this thing and it is just about made up tonight. If that angle is thrashed out, I am sure they will forget about everything else. We will go back to the two-house system. That is all I have to offer.

CHAIRMAN RILEY: Mr. White.

WHITE: Mr. Chairman, I am on the fence on this proposition, so as not to frustrate the team who are checking off one side or the other, I lean toward bicameralism, but I have the feeling that a much better case can be made by more people for unicameralism than has been made tonight. I have just jotted down a few notes here that I would like to go over at random with a preface that I am not the one to make the case for unicameralism. I don't know enough about it. But in the two examples given by Mr. Barr, as to the legislature, it seems to me, the one in regard to the placer mining bill and the other the luxury tax, it seems to me it could be argued equally well that if there had been a one-house legislature in those two instances it would not have come to pass. I have heard that argued before here by people who were in the legislature at the time and particularly in the case of the luxury tax -- that that was designed to jar something loose from the other house. That makes sense to me. In the other case of a bill slipping through with a mistake in it, I think it might be argued equally well that if you had the one-house legislature, it would tend to make that one house considerably more careful in what it does than would be the case with the two-house legislature. Each member would be well aware his action is final and not subject to revision or review by another house. In that same vein I think it is equally logical to argue that when you give a person, properly qualified, additional responsibilities you generally get a better performance, a better qualified person running for the office or applying for the job. We have heard a good deal on the subject of representation. I don't know how you can get better representation than you would have in a one-house legislature. The point has been brought up that the lower house in a two-house legislature is

generally representative of the people and the upper house, representative of areas. I am not sure that that is too good an argument for maintaining two houses. It seems to me that one of our primary problems in Alaska in the past has been the problem of sectionalism. I wonder if in having a single house we might not tend to reduce that problem, make each member of a one-house in Alaska more conscious of the fact that he represents all of the Territory. In this case I submit that a system of checks and balances could equally well be called a "deadlock system". If one house represents the people and the other house represents areas and you have a irreconcilable problem, you get no where. I am not particularly impressed by the argument either, as to tradition. This will probably startle some of my friends. There is always friction when you suggest a change. There is always resistance to change. I think it has been made amply clear here the reason why there has been resistance to change in this particular matter. I think it is a rare case indeed when a body votes to do away with itself or to radically change its form, and it has been shown to my satisfaction that the death of most of the one-house unicameral bills that have been introduced, can be laid at the door of the Senate, which would be abolished were you to have one house. Also, I think we sometimes make a mistake of viewing a new idea in the context of the old. By that I mean that merely because certain procedures have been followed in the past with a certain system, we should not assume that the same rules, same customs, same reactions to problems, are going to apply in the future in the new system. I think that is a mistake often made. These are just random thoughts. The last one -- I think it would be very proper for us, should we decide to stick with the two-house system, to provide for an automatic referendum at some stated time or stated intervals so the matter could be brought up before the people. I think the reason for that is amply clear again, because once you start out with a two-house system you are never going to change it except by vote of the people. The legislature itself is not going to vote. Conversely, perhaps if we should decide on a one-house system, some of the fears of the people who don't like to experiment could be allayed by a similar provision to submitting the one-house legislature to a referendum after a stated interval of years. Two arguments given by one of the proponents of unicameralism impressed me as possibly worthy of further amplification. If they could do so I would like to have it. One of them was that a one-house legislature tends to reduce the effectiveness of lobbyists. I would like to have that amplified if that is possible. Secondly, that a one-house legislature tends to reduce the log jam of bills that plagues all legislatures at the last minute. I think those are two problems that have been very much before us here in Alaska in the past and if it can be shown that a unicameral legislature would eliminate or substantially reduce those problems, I think we should give it careful attention.

CHAIRMAN RILEY: Mr. Buckalew.

BUCKALEW: Mr. Chairman, I did not intend to address this body tonight, but I feel that I am compelled to speak, probably because we have such an attentive audience is another compelling factor. To begin with, as I recall the campaign of all of the delegates about the general nature of their campaigning was that the constitution should be clear, concise, short, confine itself to fundamentals. I don't recall even one candidate addressing any particular remarks to bicameral and unicameral. I got the impression that we were going to have a bicameral house, and I frankly did not give it much thought until Mr. McNees talked to me several times. My thought is that if we went ahead and adopted a unicameral house, we will be taking the voters of Alaska by surprise. I mean this was a nonparty election and I think we would be more or less slipping the people a gimmick which they did not expect. Then we are going to have the burden, and I don't care how fine this new system is, we are going to have the burden of selling this new idea to the people of Alaska, and I don't think it will do us any good. I think it will put an additional burden on the ratification of the constitution. I want to say a few things about the evils of the two houses. Mr. McNealy said that he was thankful that we had a Senate. I can recall on several occasions that I would have leaped to an opportunity to abolish the Senate during the last session of the legislature. I disagree with Mr. McNealy in that one particular. I think I should for the purpose of the public, clarify this luxury tax, this progressive fish tax and this property tax. Now this is a result of a conflict which developed between the two houses, and that is the most controlling and compelling argument that I see for the unicameral house. It will make it awfully difficult for the lobbyists to get control of the one house. If it was not for the fact that we hadn't put this idea to the people beforehand, I would vote for the unicameral house. The only reason I am not going to vote for it is that I think we are taking the people by surprise. It puts an additional burden on us to sell the constitution. Now, back to this luxury tax, this progressive fish tax and property tax, the idea of the House was to get a progressive fish tax or property tax. We figured we would put the luxury tax through and we were hoping that the Senate rather than tax the individual Alaskan, would tax the traps. I have only been in one session of the legislature, but the thing that shocked me and something I was never aware of was when I was in the halls there in Juneau and I observed a lobbyist by the name of Mr. Gilmore writing amendments on House bills. Right then I said if we could do away with that Senate, I am for it. Now I would be for the unicameral house except I think we are taking the people of Alaska by surprise and it is not fair to the people of Alaska but Mr. McNees certainly convinced me with the lobby argument.

CHAIRMAN RILEY: Mr. Collins.

COLLINS: Mr. Chairman, I have sat here and listened with a great deal of interest to the statements pro and con for the one-house and two-house legislature. Personally, I am in favor of a two-house legislature, and Delegate Barr brought to my attention a happening in favor of the two-house. I had presented a health bill in '45, ten years ago, and in that it had to do with the pollution of the streams of Alaska. It was a health bill, and we passed it, not thinking, not realizing the danger that might happen to the mining industry throughout the Territory of Alaska. After that bill had passed the Senate and went to the House, my attention was drawn to that dangerous provision in that bill, had it passed. I immediately contacted the committee in the House and presented the fact that if they did not amend that bill to protect the mining industry of the Territory of Alaska, 90 percent of all the mines in the Territory of Alaska would be shut down. It gave us that time to reconsider that, brought to our attention. It was inadvertently on the part of the drafters of that bill that it would affect one industry in Alaska. Mr. Barr brought that to my attention. I had forgotten it. Now, the question of one-house or two-house. We have if we pass the one-house proposition and have that in our constitution and present that to the Territory of Alaska for the voters to ratify, we have two hurdles to make. We have got to make that hurdle and then that bill of the constitution is sent on to the Congress of the United States. One state in the United States is practicing the one-house proposition. Each state is given two Senators throughout the states. What will they think of us if we present this constitution to the Congress of the United States? Will we make that hurdle? Can we sell our constitution under those conditions? Those gentlemen in Congress of the United States have been practicing under the proposition of the old tradition of a two-house legislature. Shall we break that strong thread of tradition with admission of our constitution for the coming state of Alaska? I say no, and I am very much in favor of a two-house legislature.

CHAIRMAN RILEY: Mr. Nolan.

NOLAN: Mr. Chairman, I am for the bicameral system. Now you have just heard an argument by Delegate Buckalew that it would probably be easier to control lobbyists under a one-house system. I have served in both houses over quite a few years, and if Mr. Buckalew had been down there a few years ago he would have seen a lobbyist passing notes in the House. Now I have found in my terms in the House and the Senate, that there has never been a time that the lobbyists have been able to control both houses.

CHAIRMAN RILEY: Mr. Stewart.

STEWART: Mr. Chairman, I am in a position to make observations or two or that myself. I have attended nearly every session of the legislature since the first and often. Session after session I have seen measures that were for the benefit of the people as a whole pass through the House with a heavy majority, come up to the Senate, which in the earlier days had eight members, two of those members were employees of one large mining company, one of them their chief attorney. If those two men alone with one other could persuade a fourth person to join them, they would kill any beneficial legislation for the benefit of the whole people by producing a tie. I have seen that happen over and over again. I don't know that the unicameral system is the cure for that. It may be that with better representation from all the districts those things can be controlled, but the history of the past I think demonstrates that something should be done to eliminate that, not control it but eliminate it. It may be that with the representation of the apportionment being provided in a way that will give representation from all districts in a fairer way. It may be also that having more frequent sessions of the legislature so that measures originating at one session cannot be passed on finally but held over between two sessions, and thereby giving a chance for the people to express themselves on what has gone on in the first session. That may help, but anything we can do to eliminate the painful effects of the lobbying I have seen in the legislature ever since I have been here, I am for.

CHAIRMAN RILEY: Mr. Ralph Rivers.

R. RIVERS: Mr. Stewart, did not that situation improve when they enlarged the Senate to 16 members?

STEWART: To a degree.

R. RIVERS: Do you think that if we had a larger Senate so that not such a small group of people could cause a tie, that that would minimize the lobby effect?

STEWART: It might improve it, I wouldn't say that it would eliminate it. I think to eliminate it, some means should be provided whereby the people throughout the Territory, maybe that's possible now with the communications the way they are, let the people know what is going on in those halls, the way we who live in Juneau and attend the legislature observe.

R. RIVERS: I would like to observe, Mr. Chairman, that one of the historic reasons for increasing the Territorial Senate was that that closeknit group of eight men could kill any measure coming up from the House was the reason for increasing the Territorial Senate to 16 members.

CHAIRMAN RILEY: Mr. Johnson.

JOHNSON: Mr. President, it seems to me that Mr. Rivers' observation is a perfectly good answer to Mr. Stewart's objections of the bicameral system on the ground that it is too easily controlled by lobbyists. Certainly with the question of a proper proportionment being once settled by this Convention, then I think we have found the answer that is necessary to give every person in Alaska the proper representation in the legislature. I am unqualifiedly in favor of the bicameral system. I was in the House when in 1945 and '46, when these matters were before us by way of a joint memorial. I recall distinctly that I voted against those projects at that time, and I think the record will substantiate that, and I certainly feel no differently today, or I feel no differently after having listened to all the arguments here tonight. Mr. McNees argues that the unicameral system would still provide us with the so-called checks and balances and he says by way of illustrating that that we would have the supreme court to check us on faulty legislation. However, he did not point out that the supreme court rules, not on wise legislation, but only on illegal legislation. And besides that, every once in awhile the supreme court can make a mistake. In addition, he argues the check of the veto power. I have seen many times the veto power overridden by the legislature, and when it can be overridden by two houses with a two-thirds vote in each house, it certainly stands to reason it could be overridden in one house. So the two checks and balances he talks about do not seem to be sound. He made some reference, or rather comparison, to the one-house system with our courts. Well, everybody has his day in court, he gets a fair hearing, and if he does not like it he has an appeal. That is exactly the same as the Senate. This litigant appeals to the supreme court. The House perhaps has a bill that is not proper and the appeal is taken to the Senate and vice versa, so I don't believe there is any comparison between the unicameral system and the court system. He made reference to the fact that many countries have the unicameral system. He did not mention the name of a single country that I would trade for the United States of America, and he made reference to the fact that this bicameral system was, as he put it, "an illogical procedure" and yet it seems to me that that is not a very tenuous argument because if this bicameral system is such an illogical procedure, then the United States of America acting under that system for 175 or odd years could never have reached its present position of economic, political and military strength. I am unalterably opposed to the unicameral system. I believe that if we are going to keep faith with the people who sent us here to write the constitution that we should write it on the basis that was set out in the federal Constitution so many years ago so wisely by 55 men.

CHAIRMAN RILEY: Mr. McNees?

MCNEES: Mr. Chairman, I don't like to hear myself misquoted as I have two or three times tonight. I am going to pass over

most of them but this latest one I am going to have to take up. I am going to quote directly as I quoted before. I referred very closely to my notes tonight due to the time limitation that was politically pulled on me here, but my quotation, Mr. Johnson, was this: "If the legislature exceeded its constitutional authority in the enactment of any law, it would be set aside by the supreme court." I did not say a supreme court would pass upon the measure of a good bill or a bad bill. I have another point I would like to make if no one else would desire the floor right now.

CHAIRMAN RILEY: You may have the floor, Mr. McNees.

MCNEES: Thank you. Mr. Barrie White asked a question awhile ago about control of the lobbying in a one-house legislature as compared to that in the bicameral legislature. There are six points at which the lobbyist can gain very effective control in the two-house system. First, and I pointed that out rather graphically and spent a little time on it, the conference committee where he may gain control. We know session after session of the legislature where there is the constant battle over who is going to be speaker of the House. Why does that battle take place? It is a jockeying for position, so to speak, and don't think the lobbyists don't have their hands in that. Control of the election of the speaker is an important point. By control of the Senate at large, which Mr. Stewart pointed out here awhile ago, or by control of the House, the larger body and the hardest one to control, or getting down basically, if he can control the speaker of the House or the presiding officer of the Senate he might be in a position as a lobbyist, to name those two members to that conference committee from either the House or the Senate. If he only named those two he would have control of the conference committee. That I think is the important point to make here is that we have a conference committee squeezed in between two houses where everything is out of sight and where you can get at one, two or three men to maintain very, very effective control. If I were to make a rebuttal it would be this -- there is a committee known as the Committee of State Government made up of a very fine list of the top political scientists, statesmen, in our nation today, and those men recognize, as I do, the beauty of the theory of the unicameral system. I too feel the people of Alaska sent us here to represent them. I knew when I took hold of this issue that I was representing a minority group, but I believe that minority group should have a right to be heard. I got a very good hearing tonight and I am very pleased with it. I know that during the course of these many discussions we have had, there have been some of you won over but there have been a lot more of you have modified your thinking. During the course of the last 20 years or better, paralleling the growth or the interest, the information so to speak, of the unicameralistic theory of thought has been a group that I think is to be reckoned with, and that is

your Legislative Council. Today there are 35 states of the 48 that have active legislative councils. Prior to Nebraska switching to the unicameral system in 1937, there was a total of two legislative councils in the nation. Today there are 35. If you could have traced, as I did, over a period of many weeks running into months, the story that I painted to you tonight of the introduction of bills in favor of unicameralism and how they died, you would have seen this parallelism that I would like to draw your attention to tonight, and that is that prior to 1943 now we had 10 legislative councils. Today there are 35. Since the war ended there has been a very, very great increase in it and primarily that increase has been in the interest of more efficient government. The legislative council is a policy-making group. The usual size of the group -- we have to take a median number -- that median number across the nation as a whole is 18. That is hardly a fair number to reckon with because many states make the provision that every member of their legislature is on that legislative council. But the main thinking behind the idea of the legislative council is that here is a board of experts that sits through the year or meets quarterly, at least much more frequently than your biannual sessions of your legislature. There is a great trend of thought here on the present conference floor for an annual session, and I would not be at all surprised to see it come up with an annual session and more easily called special sessions because we must survey our laws constantly. We must introduce new laws constantly. We must revise laws constantly. The general policy of these legislative councils across the nation is that they meet not less than four times a year, some of them meet in continuous sessions. We have here in the Territory a Legislative Council that is very active and very fine, but the point I want to make and stress particularly is the fact that with the growth of the legislative council, we have a greater interest, greater participation judged primarily by the number of bills introduced in the unicameral system. I might say there has been only one state ever to repeal their legislative council. The principal thing that I think stands out in my thinking on this is that in a one-house system you have immediate reflection of how your public is going to react, how they feel, and if we have an annual session of our legislature meet annually instead of biannually as we have in the past, you are going to see that reflected in the voting, and in time it will give you a house that truly represents your people to the very best of their ability. I don't think I would have anything more to say except this -- that if 28 people, which is the number it will take to swing this issue one way or the other, go for a bicameral session, which I probably might weaken my own cause by saying that, I rather think that is the trend that will take place, but if 28 people here in the present Constitutional Convention vote for bicameral legislature, I will be one of the first to go out and try to help sell this constitution to the people of Alaska, will give my full efforts for it just as I would hope and feel sure

that if it went the other way you would do likewise. (Applause)

CHAIRMAN RILEY: Mr. Walsh.

WALSH: Mr. Chairman, I want to compliment my colleague from the Second Division, Mr. McNees, for the very able, earnest, and efficient manner in which he presented his case for unicameralism. I know that Mr. McNees has put a lot of time and research into that subject. He has studied it. I have talked with him prior to tonight many times, and I have great admiration for the amount of work and the intelligent approach that he has made to present his case here tonight. I think he did an excellent job. I regret, however, that I cannot agree with him for a unicameral legislature. I am not going to bring in the State of Nebraska, or I am not going to take up any time of the members here and go into details. I look to our Federal Constitution, and from there I take my views. It has withstood the test of time. It has gone past 150 years and today it is respected the world over as the greatest form of government known to man. We have, of course, 47 states to counteract the one lone State of Nebraska. That has been done by other people. I rise here principally on the statement made by Mrs. Hermann that I think we should stand up and be counted. I want to be counted for bicameralism.

CHAIRMAN RILEY: Mr. Lonsborg.

LONSBORG: Mr. Chairman, I would like to say a few words at this time. I don't wish to condemn unicameralism as such. In theory it may be good. I have not had a chance to study it through and through. I would like to say that as far as Alaska is concerned, I believe it is just good for the theorists. I had a chance to observe unicameralism to a small degree, having been raised in the State of Nebraska. I had the privilege of seeing it come into effect. I remember in high school we were very much interested in it, and as we noted this morning the interest in this one school grade here in Fairbanks in our Convention, we took a similar interest in our little part of Nebraska and had a chance to see it come into effect and also see it operate. I attended a few sessions sitting in the gallery at Lincoln when I lived there. One argument that we have heard over and over again, not just here but elsewhere, is that it works in Nebraska. I believe it was adopted there to simplify the government and also to give representation. However, they were able to sell it to the Nebraskans or Nebraska adopted it because at that time, in the 1930's, Nebraska was largely a rural population. According to Mr. McNeely who is also from Nebraska, he said that the largest city according to proportion would be about 10 percent of the total population. Now that is not too bad a proportion, city versus rural population, taking your largest city, but now due to the larger farms, many of the farmers moving to the cities, etc., Omaha has grown and the rural areas have declined in

population so that Omaha has about 20 percent of the population. The metropolitan area around there is close to 33 percent. The representation that some people in the outer regions of Nebraska thought they were getting, is slipping away. It is slipping away because the population is moving toward the cities, and I believe now that it is largely impossible for Nebraska to return to the bicameral system because the heavily populated area is not likely to turn back the representation to the rest of Nebraska. So much for the state at this time. I don't think, as has been mentioned, that we can really compare Nebraska and Alaska except they sound similar at the end of the names. We have, as has been mentioned, the larger area, the floating population, many who will not vote, but I believe will be counted in apportionment. They will of course be in the larger areas, giving more representation to the areas -- I don't mean larger areas but the more populated areas -- yet they will not take an active part in voting. Representation in Alaska, I think we find that about 50 percent of our Alaskan people live in just a few of the larger cities and if we go on that basis we are going to have representation by the cities alone, if we go to direct population apportionment. Taking it on the national scales when we become a state, if the United States was on apportionment in the Senate and the House, we would have probably one senator out of 1000 less representation than we now have in our non-voting Delegate Bartlett. Take some of the fairness now and apply it to Alaska. Each division should be entitled to equal representation. That would be playing fair on that standpoint just as we expect the United States of America to play fair with us and give us two full-fledged voting senators. The argument of cost -- it may cost a little less to operate with one house, but if the two houses give us better government I think it is worth it. There was mention of the log jam of bills that seemed to flood in the two-house system at the end of the session. I don't know much about that. I think we will probably have something like that here in our one-house if we keep on, toward the end of the session, but I think one reason that Nebraska gets their bills in early is that their congressmen, I believe they're called, I think are paid \$200 for the whole session, stay as long as they like. You can be sure they get their bills in early to get back home again. As far as the lobbyist system, I think the lobbyists would have an open house if they had just one house because they would have all their eggs in one basket and only the one house to worry about. I think the way to get rid of the undue and unfair lobbying is the suggestion that we received from Dr. Gruening yesterday to educate the people of Alaska in our school system and on up to whatever is necessary, that they take more interest in the government, more schools with teachers in the schools as we were privileged to observe this morning, teachers training the youngsters to really get interested in the government of Alaska. Last year in our high school at Unalakleet we requested that all the proposals in the House

and the Senate be sent to us. We did not get a chance to read through them all, but it stimulated some good interest among the students. I think that should be done all over to create an interest among the students so that when they grow up they will take an interest in their government and then the men and women in legislature will vote for the people and not for the lobbyists, because they will know the people are watching them. As far as tradition is concerned, I don't particularly like tradition as such. I like to start out on something new. Yet I will never forget the advice that was given to me once. "Be not the last to leave the old nor the first to try the new." Now it is true that we would not be the first in one sense of the word, as Nebraska now has unicameral legislature but we would be the first state to start with unicameralism in the last 150 years. I don't believe we dare take such a gamble as to put unicameralism into the constitution that we will operate under when we first become a state.

CHAIRMAN RILEY: Is there further comment? Mr. Robertson?

ROBERTSON: Mr. Chairman, I would like to announce I am strongly for bicameralism. I doubt if it is necessary to state so because I have introduced two proposals to this Convention based upon the bicameral system, but I would like to emphasize one thing. Views have been expressed by so many which accord with my own views, but I would like to emphasize the fact that I don't think we should discard the nearly 42 or 43 years of experience in the two-house system in Alaska. We don't want to discard the experience that our government is based on a two-party system and we don't want to risk the chance that Congress will say that those Alaskans are simply trying to experiment in a new kind of legislation. Therefore, I hope this Convention adopts the bicameral system.

CHAIRMAN RILEY: Is there further discussion? Mr. Armstrong.

ARMSTRONG: Mr. Riley, I think I can make this very brief. I would want to be counted for the bicameral system because I believe that this constitution will correct any error that has been perpetrated on the people of Alaska under our Territorial form of government. We will have adequate representation, we will provide for an annual meeting where we will not have all these log jams which have cluttered up the halls and wastebaskets of Juneau. I did not come here feeling that I had any mandate to change the form of government under which we are to operate. I believe that we would have a terrific job in the 120 days to educate the public to a change of form. I doubt that we would have the acceptance of the right kind of publicity from press, radio and TV that would be necessary in this type of an endeavor. I am also aware too that we have people from every state in the Union who have come into the family of Alaska. I do not believe that we can at this time afford to confuse them by this type of change, and I would add

this one other word -- that I have been in the halls of the legislature of Juneau, and I can say personally that I have been blessed to see the checks and balances that have been made available there to the people of Alaska. So you know exactly how I stand and how I will vote when this comes out of the committee. I hope we won't tarry many days before this does come for final action.

CHAIRMAN RILEY: Mr. Metcalf?

METCALF: I want to make a few brief remarks along the line Mr. Londborg has made. I am for the bicameral legislature, though I came to this meeting tonight with an open mind. The meeting has been very educational. I certainly sympathize with folks that are in favor of a unicameral legislature. There are abuses there. There certainly are but I believe could be corrected with the system of reapportionment and whereby the people out in the rural areas will have more active interest in government affairs. There is one other angle that has not been mentioned in adjusting this system of checks and balances. If we become a state or after we set up this constitution we would also have the initiative, referendum, amendments and revision clauses plus the recall which will give the common man further checks and balances on his legislature. I mention this because I don't believe it has been mentioned before.

CHAIRMAN RILEY: Mr. Cross.

CROSS: Mr. Chairman, we came here to build a constitution. This constitution has two basic requirements -- one is that it must be workable, the other that it must be acceptable. I believe Alaska could work a constitution with either form of legislature. I doubt very much that we could sell one with any but a two-house legislature. I am for the two-house legislature.

CHAIRMAN RILEY: Mr. Rosswog.

ROSSWOG: Mr. Chairman, I would like to say just a few words. I have not served in the legislature but I have served on city councils and quite a few other boards, and I am in favor of a two-house system. I know at times on these boards we would have been glad to have some other check so that we would not have had to reverse ourselves. There is another thing that I think I am concerned about is the distribution of our representation, but I am sure that this Convention and the committees can work out distribution of representation so the areas are represented.

CHAIRMAN RILEY: Mr. Sundborg.

SUNDBORG: Mr. Chairman, we have heard this evening thus far

from 29 delegates and if my box score is correct, 23 of them have spoken in favor of a bicameral system and only six against. The six who were against, and this bears out something that appeared in the reference work that we had from the technical services which were employed by the Statehood Committee, were all men who had never served in any session of the legislature. By men that are against, I mean men who are for a unicameral system. The 23 who were for included six delegates here who had served in the Alaska Senate, and everyone of those men was in favor of a bicameral system. It included five men who have served in the Alaska House of Representatives, and every such representative who has been heard has been in favor of a bicameral system. We have heard from "the two great Rivers of the North", from Senator Barr, Senator Collins who served in the very first Territorial legislature and in many others, from Senator Nolan who was the President in our most recent Alaska Senate and from our own President, Bill Egan who is held I know in as high respect by every one here as any member among us and probably in higher respect. We owe much to the judgment of these men, and yet I feel that in exploring a problem of this kind that we should look at the problem itself and not necessarily only at those who advocate one course or the other. As for my own views on this subject, I was one, I found out after I got here, of a relatively few who answered a poll from the Associated Press after we were elected and before we had come here to serve, which asked a number of questions including the one, "Do you favor a one or two-house legislature?" I answered very readily that I favored a two-house legislature. The other evening I had the privilege of watching a television show. It was a televised committee meeting of our Committee on the Legislative Branch, and because of that show and the things that were said there I was pretty well convinced by a presentation that was made, particularly by Mr. McNeese and also by another member who has not been heard from tonight, but who was very eloquent and persuasive on that occasion, Mrs. Helen Fischer, that a unicameral system had much to recommend it. Tonight, as I think has been the case with most of the delegates here, I have been pretty well won back to the other view that a bicameral system is the thing for us. This argument, if it is an argument, is not over yet. We are still going to hear from a Committee. We are going to debate the Committee's recommendations on the floor. We are going to arrive at some kind of decision and then after that there is still a whole lot more. For example, I think the Committee of which I happen to be Chairman, Style and Drafting, might conceivably drop out the second house as a matter of redundancy in the language. The best purpose served I think by this discussion tonight has not been at helping us to arrive at a decision in this one matter of whether we should have a one-house or two-house legislature. It has been most valuable because it has thrown light on so many other problems which will concern us. There is this great problem of representation, supreme in the minds of so many of our delegates.

This body I believe is the first ever elected in Alaska where we had actual representative districts. I think the result is commendable. We have a fine Constitutional Convention here which I think represents all sections and all elements of the economy and all interests of the people. It is a unicameral body. Let's look for a moment at what kind of a body it would be if on that same election day last September, we had been electing, the people of Alaska had been electing, not a one-house but a two-house body. Let us look at what it would be -- first of all there were 19 members elected from separate representative districts. Those districts did not overlap and they covered the whole Territory. So every area of our great Alaska is represented here. Then in addition to that we elected 36 from larger areas, we elected a number of them from the Territory at large. We elected another number of them from each of the judicial divisions, and the results of those elections if we look at them are as follows: one member came here from each of six small places, Wrangell, Klawock, Haines, Sitka, Unalakleet and Valdez. Three came from Nome, seven came from Juneau, eight came from Fairbanks and twelve came from Anchorage. Just from those at large elected. Now that would be your Senate if this were a two-house body, and if the election had been held on that same day and we were a bicameral Constitutional Convention. The delegates here from Anchorage and Fairbanks alone would control more than one-half of the upper house, and it does not matter how preponderant the sentiment may be in the body that has representatives from all over the Territory, nothing is ever finally passed through a two-house legislature unless it passes both houses. Getting through one house is not getting half-way there, it isn't getting any place. You have to get through both of them or you haven't got a law, you haven't got a bill or an act. So I think we need to give some thought to the matter of representation. It is supremely important and I hope we have another session such as this, with attendance such as this and with as eloquent expressions of opinion from the delegates as we've had tonight on that subject, in a Committee of the Whole. The matter of checks and balances has been mentioned. In my view, there is a need in government for checks and balances among the three coordinate equal bodies of any government. There needs to be checks between the legislative on the one hand and the judicial and the executive on the other, and between those three we do not find any system of checks and balances within any of the coordinate branches except in the legislature. We don't find that we have two courts on an equal level trying the same case and that there will never be a verdict unless the two courts come up with exactly the same decision on any matter. We have one court and when it decides something, that is it. There is a court on another level to which an appeal is possible in some cases, but only one. You don't go to two more and have no verdict unless both of them happen to decide the same thing. If it is good to have two houses of the legislature why is it not good to have two governors? Indeed, if it is good to have

two houses of the legislature why is it not good to have three houses, to make it even more certain that no bad legislation will get through, or four and let's be perfect. I believe that responsibility is the thing and that responsibility will be developed by placing the responsibility upon a number of people, whether that may be a one-house legislature or in a two-house legislature. There would be no five percent luxury tax passed by a one-house Alaska legislature if we had had a unicameral system, at the last session. I am convinced of that. I was close to it and watched what happened. I think that there is no argument either in tradition. The reason we have a two-house legislature in our national government, in our Congress, is because there was need of a compromise. There never would have been a nation, there never would have been a Congress, or Constitution if we had not been able to have one house which would be based upon representation of people and the other that would be based upon areas. We would not have had a nation. Now this matter of lobbyists of which Mr. Stewart spoke so feelingly. I can speak feelingly of that too. It was mentioned here a few minutes ago that one of the members who has had long legislative experience has never seen a lobby control both houses. A lobby doesn't have to control both houses. It has to control only one house, it doesn't even have to control a whole house. When we have a situation such as we have in Alaska at the present time where perhaps the executive is on a different side of the fence from the preponderant feeling of expression in a legislature and something comes up on a measure to override a veto, all that the lobby has had to do and all that the lobby had to do in the last session of our legislature was control just five members and no piece of legislation which the governor opposed could ever get through that legislature, although there were 40 members there, the lobby that could control five members (and believe me they did) can stop it. It was mentioned here too that somebody once saw a lobbyist pass a note to a member of the House. Of course, that happens all the time. It would happen in a one-house legislature. But what is the real meaning of that? In order to control a house, even if the house were only as large as that of our Alaska at present, the lobby would have to control 13 members. If we had a lobby trying to control this body, it would have to control 28 members, vastly more difficult than controlling a little group even if we doubled the size of our present Senate, the lobby would still only have to control 10 members.

CHAIRMAN RILEY: I'm sorry Mr. Sundborg but your time is past. Mr. Buckalew?

BUCKALEW: If there is no further discussion, I move that we report progress.

CHAIRMAN RILEY: Mr. Buckalew has made the motion that the Committee rise and report progress.

HARRIS: Point of order, did the motion come before the house that the visitors would be allowed to speak?

CHAIRMAN RILEY: That was discussed a few minutes ago. We will have two minutes of recess. The Convention is at recess.

RECESS

CHAIRMAN RILEY: The Committee will come to order. Mr. Doogan?

DOOGAN: Mr. Chairman, I think that most of the Committee, all of the Convention delegates who want to be heard have been heard from. I would like to move and ask unanimous consent that if there is anybody in the gallery that wishes to be heard, that they be granted the privilege.

CHAIRMAN RILEY: Without objection it is ordered that anyone in the audience who wishes to comment on the subject under discussion this evening may step forward and do so.

DR. HUGH FATE: I feel that this group should be represented and if others are too timid to do so, I shall pass a few remarks. We have heard the pros and cons of this debate. If I were to judge the debate I would say on the basis of brilliant presentation, the pros resolved that the unicameral system be adopted, would have won. On the basis of solid argument, I feel that the negative side would have won. We have had a classic example of how, if this house were evenly divided, one brilliant speaker might change the whole complexion of the house and a measure be passed, and that would be your unicameral system. It could be, and if that one brilliant speaker, which does not exist here, happened to be under the thumb of a lobbyist you might have a law that you did not want. I want to remark also that if this body thinks that the people of Alaska are not watching you, you are mistaken. We expect you to come up with something good, and we believe you will do so, and the attentiveness of your audience I think proves that point. It might be a good idea to take a straw vote among the audience. That is all, sir.

DOOGAN: Mr. Chairman, may I ask that the people that speak from the audience state their name for the benefit of those people who are not from Fairbanks and where they are from. That was Dr. Hugh Fate.

CHAIRMAN RILEY: Are there others who care to address any remarks?

MR. KOPONNEN: My name is Neil Koponnen. I am a homesteader on Chena Ridge and an electrician by trade, an unsuccessful candidate for the last election and I stuck my neck out on the unicameral issue. Nobody knows me very well. I don't belong to any party, I don't belong to any lodges, I don't have much

money and I didn't have any time to campaign, but 400 people voted for me and I think largely because I stuck my neck out, so I guess that is about what I would be said to represent. I never could see any sense in the taxpayers hiring two bunches of politicians to go off in to opposite ends of a big building and argue the same bloody question and take twice as long to come to an answer and then finally disagree. But as it was pointed out, the control is always in the joint committees and if the lobby controls the joint committees, they control everything. I have heard a number of speeches by a number of people over the years, not necessarily running for this, but running for some other office, especially running for the legislature up here. They rant about the bureaucracy, they rant about executive, about how the government outside is doing something. One of the things that has lead to government by the executive and government by executive decree and judicial decree has been the fact that the legislature is unable to function. It is internally checked, I wouldn't say that there was very much balance to it. There are checks and balances but it's the complete brake on the system, on the legislature itself. It is unable to express itself, it is unable to act when it needs to act. Action has to be taken in a crisis sometimes, like during the depression or during a case of war, it is taken by the executive. To whom do we turn if something is wrong with that? Do we turn to the legislature for a good law? We don't give a damn, if we have enough money we go and hire a lawyer and go to the judges to secure relief. I don't think there is any argument in tradition as has been said or in the fact that the bicameral system has lasted 175 years. If you study history, the bicameral system is a simplification of what went before, when you had a four-part system. The medieval courts, the medieval legislatures were very often split amongst the nobles, the house of lords. You had a house of clergy, well let's have a third house if two houses are so good. I think that always we've tried to simplify our government so the people themselves can better express themselves through it. The government, I think I said, exists to do for us collectively that which we cannot individually do ourselves. If it cannot act, then how can we act in a question which concerns us? I am glad I had some representation here even if it comes from Kodiak and Nome.

CHAIRMAN RILEY: Thank you Mr. Koponnen. Is there other comment? Mr. Barr?

BARR: I would suggest that the public here be informed that their remarks are being taped probably will be broadcast from a radio station. In any case if they are groping for words, they will at least look at a dictionary and use some words that are in the dictionary instead of something that I don't recognize as English.

CHAIRMAN RILEY: Is there further comment from the audience?

Miss Stuart?

ALICE STUART: I am also a defeated candidate. I got 2616 votes at large. I also don't belong to either political party nor do I belong to any civic or fraternal groups. However, I thought we should have a good constitution that should be based on fundamental American principles. One book that I have read that has been of great interest to me is The Federalist. I haven't read it all but parts that I have read, I enjoyed. There is one I would like to refer you all to and that is No. 62, credited to either Hamilton or Madison. In it it refers to ". . . inquiring into the purposes which are to be answered by the senate and in order to ascertain these, it will be necessary to review the inconvenience . . ." You will find that many of these reasons, I think there are five or six of them, will apply equally to the State of Alaska and I think you would all, if you haven't read The Federalist No. 62 will find it of great interest. It is in favor of the two-house system.

CHAIRMAN RILEY: Thank you, Miss Stuart.

CONSTANCE GRIFFITH: I am one of the three that lost in spite of sticking my neck out for unicameral legislature but I don't think in all fairness it is fair to say that was the reason I lost. It seems to me that the three points that have been advanced against unicameral legislature -- the embarrassment of a member of the House or the Senate because something passed that he was sorry he voted on, I would say that in the unicameral legislature, you would take more time and that would save the groping around, the running back and forth and the embarrassment, and that that would perhaps make much better legislation because a bill would not have to be rushed through the other house. In taking more time, then people would have a chance to get their views to the one house and the deliberations would be more gratifying to all concerned. The other two things are ratification and tradition. Now the tradition of our government in having a two-house legislature is because we have states and then the government. We don't have anything comparable to states in a state that needs representation in a separate house, so I don't see that purpose is served and that tradition needs to be so clung to in this particular instance. As far as ratification, I think the people trust you and are willing to go along with anything that you at the Constitutional Convention devise for us to ratify, and I don't think you need to be afraid if you really think this thing through and come out with either unicameral legislature or bicameral legislature, I am pretty sure the people of Alaska are going to get behind you and will ratify anything you do. Thank you very much.

CHAIRMAN RILEY: Thank you, Miss Griffith.

UNIDENTIFIED MAN: It has impressed me tonight how many people have said we must sell the constitution to the people of Alaska, and sell it to Congress, but somehow that smacks of something small to me. Maybe that is wrong, but all the great theories that have come from history have been something new, something different, and they have not always been impractical, because they haven't been done before but quite often the thing that turned out to be the most practical as well as the most inspirational for most people. I think a lot of people came to Alaska because they felt the United States was not completely God's country, that it wasn't perfect, but no country is. Maybe it's strong but strength isn't everything. I love Alaska because I feel that there is so much wrong up here, but there is still so much that can be done and so much future and that we need to have the courage to step forward and that we need not rely and say that we must do everything because it is done in the states and always has been done in the states. That doesn't make it perfect. I know people that have the courage to believe in theories if they feel that the theories are right and good, because I think most of the progress in the United States originally and throughout history has been through people having the courage of their convictions.

CHAIRMAN RILEY: If there are no further comments from the audience, the Chair would entertain a motion to rise.

V. RIVERS: Mr. Chairman, I make a motion and ask unanimous consent that the Committee of the Whole now rise and report progress.

CHAIRMAN RILEY: I might state first that the bus has been called and should be here in a matter of about 15 minutes. Without objection the Committee shall rise and report progress. So ordered.

RECESS

PRESIDENT EGAN: The Convention will come to order. Is there any business to come before us at this time?

RILEY: Mr. President, your Committee of the Whole has met, risen, and reports progress.

PRESIDENT EGAN: Mr. Riley reports that the Committee of the Whole has risen and reports progress. Is there other business to come before the Convention?

HELLENTHAL: Mr. Chairman, I move the meeting be adjourned until 9 o'clock tomorrow morning.

PRESIDENT EGAN: Mr. Helleenthal moves and asks unanimous consent that the Convention stand adjourned until 9 a.m. tomorrow. Is there objection? Hearing no objection it is so ordered.

STATE OF ALASKA
THE LEGISLATURE

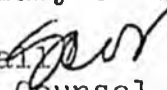
POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99801

LEGISLATIVE AFFAIRS AGENCY

February 6, 1975

MEMORANDUM

TO: Representative Terry Gardiner, Chairman
House Judiciary Committee

FROM: Stuart C. Hall 
Legislative Counsel

SUBJECT: Proposed constitutional amendments establishing a
unicameral legislature: HJR 1 (Bradner, et al) and
SJR 1 (Rader, et al)

Article II (Legislature)

The initial section of the measures amending article II replace the existing two-house legislature consisting of a 20-member Senate and 40-member House of Representatives with a 61-member single-house, or unicameral, legislature whose members are designated "senators".

Qualifications for membership are redefined by setting a uniform minimum age of 21 years and by deleting from the second section of article II the 25 years of age requirement presently in force for members of the Senate. (At least one incumbent House member is under 25.) No change is made in the three-year state, one-year election district residence required in the present constitution.

✓ Section 3 in SJR1 provides for a uniform staggered four-year term for legislators, 31 of whom would be elected in gubernatorial election years, 30 in presidential election years; HJR 1, however, proposes that 31 be elected in presidential election years, 30 in gubernatorial election years.

Under the proposed section 10, in SJR 1, the governor retains the power to adjourn the legislature where there is disagreement over adjournment. That power is customary in a two-house legislative system; it may not be necessary under a unicameral structure (HJR 1 simply repeals this section), but its retention is thought wise in the event there is substantial disagreement among the membership. Certification to the governor probably would require more than a handful of members, and there is no reason to believe that a wilful minority could prevent adjournment because an adjournment sine die resolution still requires a majority of the membership's approval.

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There is no substantive change in section 12 other than to remove references to a two-house body and replace it with single-house terminology.

In a two-house legislature the second house serves as a kind of "filter" for the legislation emanating from the house of origin. That process is eliminated in a unicameral legislature. Thus, there is a need to build in some other device to ensure that legislation will be enacted in deliberate manner. Section 14(b) provides that final passage of a bill may not occur until five calendar days after its introduction have elapsed and until the bill has appeared on the daily legislative calendar at least one day. An exception is made for urgency bills -- those designed to meet some emergency, such as an Anchorage-type earthquake or a Fairbanks-type flood, that demands immediate legislative action to provide for relief. However, in SJR 1, a three-fourths vote is required to permit action earlier than the five days, and an urgency bill must set forth the facts constituting the necessity for immediate legislative action. That statement plus the bill itself each must be passed by a separate two-thirds vote. No urgency bill may create or abolish an office, modify its salary, term or duties, grant a franchise, special privilege, or create any vested right or interest. In HJR 1, both steps require a two-thirds vote, and an urgency bill may not levy a tax.

Sections 15, 16 and 18 are amended solely to remove references to two-house legislative action and replace them with single-house nomenclature.

In the impeachment provisions, section 20, there is one change. Under the existing provisions, impeachment originates in the Senate and the trial is in the House (the reverse of the procedure in the U. S. Congress); impeachment is brought by a two-thirds vote of the senators, with judgment requiring a two-thirds vote in the House following trial by that body. SJR 1 provides for impeachment brought by resolution (rather than on motion) by a majority vote of the legislature, but judgment requires a two-thirds vote, thus ensuring that some greater number of members be persuaded to take so significant a political step that would remove an officeholder. HJR 1, however, provides for a two-thirds vote both for impeachment and judgment (or conviction).

Article VI (Legislative Districting)

The elimination of a two-house legislature in favor of a unicameral system necessitates changes in the procedure for the state's system of legislative districting. Moreover, the Alaska Supreme Court's decision in Egan v. Hammond, 502 P.2d 856 (Alaska, 1972),

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has rendered significant language in the existing article VI void because it was declared unconstitutional under the Equal Protection Clause of the 14th Amendment to the U. S. Constitution.

In addition to deleting language in existing article VI (sections 4, 5 and 7) providing for separate, different bases for representation in the Senate and in contrast to the House, made obsolete by earlier court decisions requiring "one man, one vote" as the representation base in both houses of a state legislature (Reynolds v. Sims, 377 U.S. 533 (1964); Wade v. Nolan, 414 P.2d 689 (Alaska, 1966)), this proposal makes a major change in article VI: a shift of the legislative representation base from civilian population to registered voters. The Alaska Supreme Court, in Egan v. Hammond, held that civilian population as the basis for redistricting was unconstitutional because it discriminated against the state's military population on account of its employment. However, the court recognized that many, if not most, of the military personnel stationed in Alaska (about 10 per cent of the state's total population) well might vote elsewhere and their inclusion in the population base for representation in the legislature seriously could distort a districting scheme. Consequently, the court authorized the use of registered voters or a special state census of residents or citizens. Inasmuch as the latter would be both costly (because special arrangements would have to be made with the U. S. Bureau of the Census to count state residents or citizens and the state would be charged for that extra service) and time-consuming and in all likelihood probably would produce about the same results as would registered voter totals, the use of registered voters is recommended, provided that the state's voter registration laws are revised so that the "purge" of registered voters no longer resident in the state or precinct and who have not voted at a primary or general election occurs more frequently than once every four years (as at present) to ensure that the total number of registered voters accurately reflects their proportion to the state's total population.

Use of registered voters for redistricting rather than population as reported in the decennial federal census, was authorized by the U. S. Supreme Court for use in Hawaii where, as in Alaska, there is a substantial concentration of military personnel in proportion to the state's total population and in Vermont where the ratio of students to total population is very high. Thus each legislator would represent, as nearly as possible, an equal number of registered voters.

No substantive change is made in present language requiring that districts be formed of "compact and contiguous territory" and contain "as nearly as practicable, a relatively integrated socio-economic area."

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The measure does make one other important substantive change: it prohibits the abrogation of a legislator's four-year term as the result of redistricting. Legislative terms are set in article II, not in article VI. However, the Alaska Supreme Court ruled in *Egan v. Hammond* that the governor's power to cut short senatorial terms of office was one that was "incidental to his general reapportionment powers." 502 P.2d 856, 874. If the governor is able to shorten a legislator's term every 10 years following redistricting, the value of continuity achieved by the staggered four-year term is all but destroyed. Moreover, as a practical matter the most significant shift in representation occurred following the original "one man, one vote" decisions of the United States and Alaska Supreme Courts. The governor decided to redistrict the state in 1965. He eliminated the regional senatorial districts and departed from the general geographic or area orientation for Senate representation. From 1965 on, normal population growth in Alaska probably will not produce shifts in the population growth pattern so dramatic as to warrant premature termination of a legislator's tenure in office in order to effect a change in political boundaries that will reflect shifts in population (or registered voter) growth patterns. Under the Alaska Supreme Court's concept of gubernatorial redistricting authority, it would be possible for all 61 legislators, under the unicameral proposal, to turn over at one election every decade following redistricting. It is doubtful that that result was intended by the framers of the Alaska Constitution. Despite the court's concern for "unrepresented" areas following redistricting, if legislator terms were not truncated, those areas potentially without representation would be small and then only for temporary periods not exceeding two years. Practically speaking, it is doubtful if any area of the state would go unheard. Such a discrepancy pales in significance alongside the value of some degree of continuity provided by the maintenance of a system of staggered, four-year terms.

In *Groh v. Egan*, the Court reaffirmed the view it had taken in *Egan v. Hammond* (502 P.2d at 873-74) that the governor, exercising his general redistricting powers, had the discretionary authority to order mid-term elections, thus abrogating the four-year terms to which four Anchorage senators had been elected in 1972. 526 P.2d 863, 880-81. The Court conceded, however, that had it had the original decision to make, it might have been persuaded by reasons advanced by the California Supreme Court to permit the four Anchorage senators involved to conclude their terms; nevertheless, the Court asserted there was a rational basis for permitting truncation of senatorial terms. Compare *Groh v. Egan*, *loc. cit.*, with *Legislature v. Reinecke*, 516 P.2d 6, 11-12 (Cal., 1973). In short, the effect of proposed sec. 1(d) of article VI, in SJR 1 (it appears as sec. 2(b) in HJR 1) is to nullify the Alaska Supreme Court's decision in *Egan v. Hammond* and *Groh v. Egan* with respect to gubernatorial power to abrogate senatorial terms at the time of redistricting.

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In the revised article VI the governor retains the power to redistrict the legislature, assisted by an advisory board he appoints. There is no substantive change from the existing constitution in sections 2, 3 or 4.

In proposed section 5 some additional modifications are recommended. When the Alaska Constitution was drafted in 1955, the decision of the U. S. Supreme Court in Baker v. Carr, 369 U.S. 186 (1962), still was seven years distant. Thus, the state's "founding fathers" could not have known that judicial review of legislative redistricting would be authorized. To correct that omission, express provision for judicial review of redistricting is included along with the existing authority for a voter to compel gubernatorial performance of redistricting duties or to correct a redistricting error. Importantly, this measure also shifts original jurisdiction in redistricting litigation from the superior court to the supreme court, following the example of Oregon. Ore. Const. art. IV, sec. 6(2)(a), (3)(b). The requirement that proceedings commence in the superior court is time-consuming and unproductive. In these redistricting cases, the facts rarely are in dispute: the population of the state, of a given subdivision, the geographic/topographic configuration of the state, its social and economic characteristics, etc. If "facts" must be developed, a special master can be appointed, as was done with such salutary effect for the first time in the state's history in Egan v. Hammond.

What is at issue is the application of the law to the facts, and that, in any event, is peculiarly an appellate function. Appeals in this type of a dispute are almost inevitable. Thus, in order to telescope drawn-out proceedings that might otherwise result in a decision so close to an election as to make its administration impossible or nearly so, it seems advisable to allow proceedings to be brought before the supreme court at the outset. This seems especially wise when litigation, such as this type of proceeding, involves the co-equal branches of the state government.

Further, the measure repeals article XIV which created the initial election districts. Their boundaries have been recast significantly both in 1965 and in 1972. Consequently, today, they are of little more than historic interest and legally the district descriptions are without force or effect. Thus, the language describing them is superfluous and should be removed from the constitution as obsolete material.

The final section of the resolution, section 5, sets out transitional provisions required to shift from bicameralism to unicameralism:

First, assuming voter approval of a one-house legislature in 1976, those legislators elected at the 1976 general election plus senators holding over from the 1974 election would sit during the initial session of the tenth Alaska Legislature as a two-house body,

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but during the second session as a unicameral legislature. During the first session (1977), the legislature would be required to make those preparations enabling it to meet as a unicameral body during the second session (1978), e.g., provide a chamber large enough to accommodate the 61 members en bloc, conduct a study of required rules changes, etc.

Second, the governor would be obliged to convene a redistricting advisory board and redistrict the state to accommodate a 61-member unicameral legislature preparatory to the 1978 elections. At that election, under SJR 1, those 10 members of the Senate elected in 1976 would hold over until the normal expiration of their term in 1980, 30 members would be elected to four-year terms, and 24 others to two-year terms (until 1980, then four-year terms thereafter). (Under HJR 1, at the 1978 election, 31 members would be elected to four-year terms, and 20 others to two-year terms, until 1980, and then 30 members to four-year terms thereafter.) Which legislators would be assigned four-year and which two-year terms would be determined by the governor's redistricting plan on this occasion only.

SCH/lb

cc: Senator John Rader

ARTICLE VI

Legislative Apportionment

Proposed Article VI

Existing Article VI

Sec. 1(a) of both SJR 1 and HJR 1 change the term "election" district to "legislative" district.

Sec. 1

Sec. 1(b) of both SJR 1 and HJR 1 changes the base for redistricting from "civilian" population to registered voters.

Sec. 3

Sec. 1(c) of both SJR 1 and HJR 1

Sec. 6.

Sec. 1(d) of SJR 1

Sec. 2(b) of HJR 1

These provisions prohibit gubernatorial truncation of senatorial terms of office as a result of redistricting.

No comparable provision.

Sec. 2 of SJR 1

Sec. 2(a) of HJR 1

Sec. 3

Sec. 3(a) of both SJR 1 and HJR 1

Sec. 8

Sec. 3(b) of both SJR 1 and HJR 1

Sec. 9

Sec. 4 of both SJR 1 and HJR 1

Sec. 10

Sec. 5 of both SJR 1 and HJR 1 shift original jurisdiction in redistricting litigation from the superior court to the supreme court.

Sec. 11

ARTICLE VI

Legislative Apportionment

Existing Article VI

Election
Districts

SECTION 1. Members of the house of representatives shall be elected by the qualified voters of the respective election districts. Until reapportionment, election districts and the number of representatives to be elected from each district shall be as set forth in Section 1 of Article XIV.

Senate
Districts

SECTION 2. Members of the senate shall be elected by the qualified voters of the respective senate districts. Senate districts shall be as set forth in Section 2 of Article XIV, subject to changes authorized in this article.

Reapportionment
of House

SECTION 3. The governor shall reapportion the house of representatives immediately following the official reporting of each decennial census of the United States. Reapportionment shall be based upon civilian population within each election district as reported by the census.

Method

SECTION 4. Reapportionment shall be by the methods of equal proportions, except that each election district having the major fraction of the quotient obtained by dividing total civilian population by forty shall have one representative.

Proposed Article VI

SJR 1 and HJR 1: See Sec. 1(a). The term "election" district is changed to "legislative" district.

SJR 1 and HJR 1: See Sec. 1(a)

SJR 1: See Sec. 1(b) and 2.

HJR 1: See Sec. 1(b) and 2(a)

The base for redistricting is changed from "civilian" population to registered voters.

SJR 1 and HJR 1: No comparable provision; deleted as obsolete. Representation no longer apportioned among fixed geographical units since Reynolds v. Sims and Wade v. Nolan as the original election districts based on the judicial divisions created inherently unequal districts.

Existing Article VI

Proposed Article VI

Combining
Districts

SECTION 5. Should the total civilian population within any election district fall below one-half of the quotient, the district shall be attached to an election district within its senate district, and the reapportionment for the new district shall be determined as provided in Section 4 of this article.

SJR 1 and HJR 1: No comparable provision; deleted as obsolete for same reasons stated as to existing sec. 4, above.

Redistricting

SECTION 6. The governor may further redistrict by changing the size and area of election districts, subject to the limitations of this article. Each new district so created shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area. Each shall contain a population at least equal to the quotient obtained by dividing the total civilian population by forty. Consideration may be given to local government boundaries. Drainage and other geographic features shall be used in describing boundaries wherever possible.

SJR 1 and HJR 1: See Secs. 1(b) and (c). The first sentence of the existing sec. 6 is unnecessary as the gist of it is in the above cited sections as well as in Sec. 2 and 2(a) of SJR 1 and HJR 1, respectively.

Modification
of Senate
Districts

SECTION 7. The senate districts, described in Section 2 of Article XIV, may be modified to reflect changes in election districts. A district, although modified, shall retain its total number of senators and its approximate perimeter.

SJR 1 and HJR 1: No comparable provision; deleted as obsolete for same reasons stated as to existing sec. 4, above.

Reapportionment
Board

SECTION 8. The governor shall appoint a reapportionment board to act in an advisory capacity to him. It shall consist of five members, none of whom may be public employees or officials. At least one member each shall be appointed from the Southeastern, Southcentral, Central and Northwestern Senate Districts. Appointments shall be made without regards to political affiliation. Board members shall be compensated.

SJR 1 and HJR 1: See Sec. 3(a).

Existing Article VI

Organization

SECTION 9. The board shall elect one of its members chairman and may employ temporary assistants. Concurrence of three members is required for a ruling or determination, but a lesser number may conduct hearings or otherwise act for the board.

Reapportionment
Plan and
Proclamation

SECTION 10. Within ninety days following the official reporting of each decennial census, the board shall submit to the governor a plan for reapportionment and redistricting as provided in this article. Within ninety days after receipt of the plan, the governor shall issue a proclamation of reapportionment and redistricting. An accompanying statement shall explain any change from the plan of the board. The reapportionment and redistricting shall be effective for the election of members of the legislature until after the official reporting of the next decennial census.

Enforcement

SECTION 11. Any qualified voter may apply to the superior court to compel the governor, by mandamus or otherwise, to perform his reapportionment duties or to correct any error in redistricting or reapportionment. Application to compel the governor to perform his reapportionment duties must be filed within thirty days of the expiration of either of the two ninety-day periods specified in this article. Application to compel correction of any error in redistricting or reapportionment must be filed within thirty days following the proclamation. Original jurisdiction in these matters is hereby vested in the superior court. On appeal, the cause shall be reviewed by the supreme court upon the law and the facts.

Existing Article XIV

Proposed Article VI

SJR 1 and HJR 1: See Sec. 3(b)

SJR 1 and HJR 1: See Sec. 4

SJR 1 and HJR 1: See Sec. 5. Jurisdiction shifted from Superior to Supreme Court.

SJR 1 and HJR 1: Repealed as obsolete.



UNIVERSITY OF ALASKA

FAIRBANKS, ALASKA 99701

February 6, 1975

Mr. Terry Gardiner
Chairman, Judiciary Committee
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Terry:

Attached is an excerpt from my manuscript on the Alaska constitutional convention dealing with the unicameralism debate. As you will note, my tally indicated that of those who spoke out on the issue, bicameralism was favored by 25 to 2, even though no formal vote was ever taken. The endless arguments in favor of the bicameral system, as reported in the Proceedings, are summarized in the middle paragraph on attached page 87.

Upon returning to Fairbanks, I looked at my files and found a haphazard collection of tidbits dealing with the unicameral issue. Rather than passing these on to you, I suggest you pursue the obtaining of information through the National Municipal League. In case you are not able to locate the address, here it is: Mr. William N. Cassella, Jr., Executive Director, National Municipal League, 47 East 68th Street, New York, New York 10021.

Should you have a hearing on the proposed constitutional amendment to establish a unicameral legislature, I would be glad to testify, timing permitting. While I was very lukewarm on this issue in 1955-56, I am now firmly convinced that Alaska would gain much by switching to a unicameral system, both in terms of legislative operations and a better system of representing the people.

If there is any ready way, I would greatly appreciate being kept informed of developments on this issue.

Best personal regards.

Sincerely,

Victor Fischer, Director
Institute of Social, Economic
and Government Research

VF:jd

Attachment

cc: Mike Bradner
Bill Parker

NATIONAL MUNICIPAL LEAGUE

State Constitutional Convention Studies

Number Nine

ALASKA'S CONSTITUTIONAL CONVENTION

VICTOR FISCHER

Institute of Social, Economic and Government Research

University of Alaska

Published by

University of Alaska Press 1975

lators, length of legislative sessions, salaries, and legislative rules and organization.

Unicameralism versus Bicameralism

From the beginning, the Committee on the Legislative Branch devoted considerable time to discussing the relative merits of the unicameral legislative structure. The PAS report gave little background information, primarily pointing out that:

Alaska's relatively small population and the economy and simplicity of the unicameral legislature seem to argue in favor of the single house. On the other hand, the apparent satisfaction with the two-house system in the Territorial Legislature makes any departure from tradition difficult.³

In addition, a preconvention poll of delegates indicated a widespread acceptance of the existing bicameral structure.⁴

Committee members decided that the first question they must resolve was that of the bicameral-unicameral legislature, since the number of legislative chambers would determine other structural and procedural characteristics. Therefore, they decided to obtain the views of all delegates and, if possible, the public. To accomplish this at an early stage, the committee put the question of the unicameral versus the bicameral legislature to the entire convention.

When the proposal for a full-dress discussion of legislative structure was brought before the convention, delegates were not only ready to debate the issues, but some even wanted specific action to follow the discussion. Much of the preliminary discussion revolved around the procedure to be followed in determining delegates' preferences, particularly whether there should be a poll of delegates at the end of the Committee of the Whole session. Despite the interest and enthusiasm, however, the convention took no action to require a vote or poll on unicameralism.⁵ A three-and-one-half-hour night session, to which the public had been invited, proved that no formal expression was necessary.

Debate clearly revealed that a majority of delegates favored unicameralism. Expressions of individual opinions by thirty-one of the fifty-five delegates indicated that only two delegates (Jack Hinckel of Kodiak and John McNees of Nome) firmly favored the unicameral legislature; twenty-five firmly favored bicameralism; and

³PAS, "Legislative Structure and Apportionment," *Constitutional Studies*, p.4.

⁴*Fairbanks Daily News-Miner*, November 7, 1955.

⁵*Alaska Constitutional Convention Proceedings* (Juneau: Alaska Legislative Council, March 1965), pp. 377-390.

four delegates raised points favoring one system or the other without committing themselves to a specific preference.⁶ Each of the twelve delegates who had served in the bicameral territorial legislature and who spoke on the issue favored bicameralism.

Delegate McNees made the case for a one-house legislature. He described how the traditional two-house system was an outgrowth of democracy's progress against royal power and argued that members of the two-house system were now elected by the same class of people and were given the same legislative authority, without regard to wealth and property. He pointed out that it was not necessary to have two houses for purposes of checking each other; checks would exist with unicameralism. Laws could be set aside by the court if the legislature exceeded its constitutional authority; the governor could exercise his veto; and the people could, under the referendum provisions, nullify any law passed by the one-house legislature. Under the referendum provisions, McNees listed a series of merits claimed for the unicameral system:

1. A single chamber operates more efficiently than two and is able to more thoroughly consider proposed legislation. By adopting suitable rules of procedure and establishing an effective committee system, it can ensure that every measure is carefully reviewed before it is acted upon, with adequate safeguards to prevent hasty action and thus avoid the serious ills of the closing rush that pertains in many states.
2. The unicameral legislature does away with jealousy, friction, and rivalry between two houses and eliminates the need for conference committees.
3. A single house permits legislative responsibility to be definitely fixed and facilitates the development of essential leadership.
4. The unicameral legislature results in substantial savings through a reduction in the number of members and size of legislative staff.
5. Membership in a single chamber carries greater prestige, dignity, and greater opportunity for public service and hence attracts more distinguished, outstanding, and representative citizens.
6. A single-chamber law-making body reduces the power of special interest groups and lobbyists to defeat needed legislation, and at

⁶The Committee of the Whole discussion of unicameralism and bicameralism is covered in *Proceedings*, pp. 419-467.

the same time makes it easier for groups of citizens who are interested in pending legislation to openly and aboveboard present their recommendations to the legislature. It facilitates public reporting of legislative activity, thus serving to increase the public confidence in the legislative body.

7. The single house permits closer and more effective relationships between the governor and executive departments and the legislature.

McNees also pointed out that Nebraska was not the only political subdivision with a unicameral legislature: "many nations operate with single legislative bodies," he said. He described the extensive attempts at legislative reform among the states, with a consistent pattern of support of unicameral proposals by population-based houses of representatives and their defeat in area-oriented senates.

Aside from these and other unicameral arguments set forth by McNees and Jack Hinckel, as well as a few equivocal statements by several others, most delegates favored a two-house legislature.

Arguments favoring the bicameral system claimed that it would retain a system that has been proved in most states, preserve an effective system of checks and balances and a more deliberative process, and assure more representation for different groups. Further, proponents voiced fear that Congress (which had to approve the state constitution) would not look with favor upon a unicameral legislature, and they raised the spectre that Alaska voters also might not go along with a change from the traditional system.

Convention President Egan, who favored the prevailing system, argued that Alaskans had not experienced a true bicameral system of legislative apportionment. He stated:

We have had a running-wild system . . . both in the makeup of the Territorial Senate and the makeup of the Territorial House. Our citizens here have not had the opportunity to view . . . a bicameral system of legislative bodies in action, and I feel very strongly, personally, that at this time it would be unwise to adopt the unicameral form of government.⁷

Others, such as delegate Frank Barr of Fairbanks, referred to the unicameral legislature as an "ideal" system, but dismissed it as not practical or desirable for the future state. Seaborn Buckalew pointed out that delegates had not addressed themselves to a bicameral versus unicameral question during the election and stated:

. . . if we went ahead and adopted a unicameral house, we will be taking

⁷*Ibid.*, p. 446.

the voters of Alaska by surprise . . . I think it will put an additional burden on the ratification of the constitution.⁸

Juneau delegates Dora Sweeney and Mildred Hermann advised the convention of previous attempts in the Alaska territorial legislature to bring the unicameral question before popular referendum. On two occasions, first in the 1930's and then in the 1940's, bills or resolutions were introduced providing for a unicameral legislature. Both times the proposals failed, although a memorial to Congress favoring unicameralism was approved by the house in 1945.

The first "great debate" of the convention ended with the floor being opened to the public. Four visitors spoke, two for unicameralism and two for bicameralism.

Given the overwhelming support for a two-house structure among the delegates, the issue was never again seriously raised before the convention. However, in several subsequent debates, accusations were made that vestiges of the unicameral scheme were being incorporated in the constitution. Thus, in the debate on the executive article, there were complaints about the provision for confirmation of gubernatorial appointments by joint session of the legislature, rather than by the senate or by each house separately.⁹ The legislative proposal similarly incorporated a unicameral feature in regard to veto considerations. Upon the veto of a bill by the governor, both houses of the legislature would sit as one body to reconsider the passage of the vetoed bill. The entire legislature could then override a veto by a two-thirds vote on regular bills and a three-fourths vote on money bills. (The proposal also provided that any bill vetoed by the governor and not overridden by those required majorities could be submitted to popular referendum by a simple majority of all legislators sitting as one body. Also, the governor was to be authorized to submit to referendum any bill failing passage by the legislature, either in its original form or with any amendments considered by the legislature that he could designate.)

During subsequent floor consideration, joint house-senate action on gubernatorial vetoes became an issue of prime controversy; indeed, it was the chief reason six delegates later gave for voting against final approval of the entire legislative article. Chairman McCutcheon explained the committee's stand:

. . . From past experience we felt that the authority of the senate should be diluted to a certain extent by requiring that the vetoes of the governor shall be heard in both houses and that it shall require the vote of both houses sitting as one body to override the veto of the governor, the theory

⁸*Ibid.*, p. 451.

⁹*Ibid.*, pp. 2179-2180.

being that with a small senate it required so few to sustain the governor, that it gave an extremely strong executive arm more power and authority than he should have.¹⁰

Others, however, argued that such joint action eliminated a basic aspect of checks and balances in democratic government, putting decision making on vetoed bills in the hands of the more populist house of representatives. Thus, Maurice Johnson of Fairbanks stated:

I have always felt that when the veto message was acted upon by each house separately, as I believe it should be, that it afforded an additional check and balance that very frequently was the only protection that a minority could have in a legislature which was overbalanced, one way or another by one political party or the other.¹¹

A similar position was held by Frank Barr, also of Fairbanks:

I disagree on adopting a unicameral process in acting on a veto when a bill is returned by the governor. We have gone on record here for a bicameral legislature by a large majority, and then we become inconsistent and turn right around and provide for the unicameral process in acting on the veto.¹²

Recent problems in the territorial legislature gave rise to the proposed unicameral approach to vetoes. During the legislative session earlier in 1955, a bill dealing with procedures for appointments requiring legislative confirmation was passed by the house by twenty-one to three and approved in the senate by a two-thirds margin. When the governor vetoed the appointment bill, the house overrode the veto by the same twenty-one to three vote. In the senate, however, the legislation failed to get the necessary two-thirds majority, and the governor's veto was sustained. The issue had been highly charged politically, the legislature then being overwhelmingly Democratic while the governor was a Republican, and the resulting political controversy was reflected in the proposed constitutional provision.

Just before the convention vote on the issue of veto overrides, a delegate inquired:

How many states have provisions for veto where both houses meet jointly, such as proposals before us?

McCutcheon's response "Nebraska" was met by a peal of laughter from the delegates, who then proceeded to reject on a tie vote the amendment to have each house act separately on vetoed bills.¹³ An

¹⁰*Ibid.*, pp. 1731-32.

¹¹*Ibid.*, p. 3186.

¹²*Ibid.*, p. 3184.

¹³*Ibid.*, p. 1735.

attempt to raise the issue again during third reading was voted down by a more substantial margin.¹⁴

Impeachment procedures raised once more the question of how the houses of the legislature were to function. The Legislative Committee had recommended that impeachment originate in the senate and trial be conducted by the house of representatives, a reversal of roles in Congress. Motions were made to reverse these roles, to authorize either house to initiate impeachment with trial by the other, and to have the proceedings carried out by a joint session of the legislature. The proposed changes were rejected, in part because many members did not care enough about these procedural aspects to override the committee that had worked on the article for many weeks.

Committee Proposals

With the question of basic legislative structure resolved, the Committee on the Legislative Branch proceeded with its work and in two weeks submitted Committee Proposal No. 5, Legislative Powers and Duties. The proposed article provided for a senate of twenty and house of forty members. Senators were to be at least twenty-five years old, two-year residents of Alaska, and one-year residents of their district. Minimum age of house members was set at twenty-one years, with the same residence requirement. The committee proposed that the legislature convene each year, with no limit on the length of session. Each legislator was to receive an annual salary, with the presiding officers of the two houses authorized to receive an additional amount. Committee chairman Steve McCutcheon of Anchorage explained the salary provisions:

Most states have not paid legislators respectable salaries and the citizens have often been disappointed when the legislators were not respectable either. The salaries will not automatically produce good legislators; rather they make their selection possible. Poor salaries tend to produce two types of legislators—those who have private means and who are, consequently, likely to be upper class in their attitudes, and those who are on the payroll of an outside interest and who are sent to the legislature to vote as that interest desires.¹⁵

Provisions were also made for a legislative council and other interim committees, prohibition of local and special acts, adoption of uniform rules, impeachment proceedings, freedom of religion, disclaimer of rights to land of Alaska Natives as required by

¹⁴*Ibid.*, p. 3117.

¹⁵*Fairbanks Daily News-Miner*, 19 December 1955.

February 11, 1975

Victor Fischer, Director
Institute of Social, Economic
and Government Research
University of Alaska
Fairbanks, Alaska 99701

Dear Vic,

Thank you for your letter of February 6 and the information which was attached.

I am writing to inform you of a public hearing on the proposal to form a unicameral legislature which has been scheduled for February 20 in Juneau. Your testimony at this hearing would be most welcome.

If the 20th isn't convenient for you, please let me know when you'll next be in Juneau and I'll schedule a special meeting.

Sincerely,

Terry Gardiner
Representative

4521
February 25, 1975

Victor Fischer, Director
Institute of Social, Economic
and Government Research
University of Alaska
Fairbanks, Ak. 99701

Dear Vic,

Sorry you were not able to testify at our last public hearing. I'm not sure whether we will still have the Unicameral resolution in our committee on March 3. If we do, we would certainly like to have you testify.

It seems that more and more opposition towards the concept of a unicameral legislature is coming from the Senate side. It appears doubtful as to whether the resolution would even receive a floor vote in the Senate. In that case those of us who favor the concept would at least like to get it before the entire House and have a full debate on the topic.

Sincerely,

Terry Gardiner
Representative



UNIVERSITY OF ALASKA

FAIRBANKS, ALASKA 99701

February 18, 1975

Representative Terry Gardiner
Chairman, House Judiciary Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Terry:

Thanks for the invitation to testify at the February 20 hearing on the proposal for a unicameral legislature. Unfortunately, I cannot be there.

I expect to be in Juneau March 3-5, and could probably make myself available that Monday afternoon or Tuesday morning. I am not sure whether all might not have been quite well said by then. Will leave to you whether a personal appearance might be worthwhile. If there are any specific questions that I could deal with, I would certainly be glad to do that.

Best personal regards.

Sincerely,

Victor Fischer, Director
Institute of Social, Economic
and Government Research

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clear that the legislative has all of the balance of the power.

One, I suppose, example, Delegate Mathias, would make it definitely clear that the legislature does have the power to perform investigation into the branch of the judiciary with respect to the matter of impeachment. I think this would clear up for all time the problem of the *Cusack* case. It's a matter that is a basic, fundamental principle that is stated in other constitutions, and we feel that because of the confusion of our Illinois courts, that it should be placed in ours, since we do take out so many sections and we take them out only because of the theory set forth and the basic principle set forth in that line.

PRESIDENT WITWER: Mr. Parkhurst?

MR. PARKHURST: Thank you, Mr. President. We've got another section of the constitution forthcoming that this might affect and might conflict with, and that's the local government article. Mr. President, it seems to me that what we are trying to do basically in the local government article is reverse dear old Dillon's rule which is the idea that the state is the sovereign and that all local governments are merely creatures of the state. In our article, as you know, having read it by now, we try to give some autonomy in the name of home rule to local governmental entities.

Now this sentence that we are talking about that's affected by the Knuppel amendment, it seems to me, would simply restate in the constitution Dillon's rule, because it would simply say that the General Assembly has all the power of the state. That would cancel out effectively in this paragraph what we are going to try to do in the home rule article—in the local government article—and give some of the power to the local governments. So I believe that this would be a very dangerous thing to have in the constitution if you believe in the concept of reversing Dillon's rule; and for that reason, among the others that have been stated here, which primarily boil down to the fact that this doesn't say anything anyway, I think that we should be very careful about this and not put in with the left hand what we are going to try to take out later with the right hand.

PRESIDENT WITWER: Thank you. Any further debate? Mr. Fay?

MR. FAY: I would like to ask Delegate Lewis if it is not true that the problem you refer to raised by the *Cusack* case you handled in the article on impeachment, making it clear that the legislature does have the power to investigate in connection with impeachment.

MR. LEWIS: I am sorry, Delegate Fay. I didn't hear—

MR. FAY: Don't you clear that up in the section on impeachment? The *Cusack* problem?

MR. LEWIS: Yes, we do try to take care of it there.

PRESIDENT WITWER: Thank you. Are you ready now? If you are, would you like to speak in summation, Mr. Lewis, for the committee. If not, Mr. Knuppel?

MR. LEWIS: Mr. President, since I have just spoken, I don't think that I can add anything to what I've said.

PRESIDENT WITWER: Thank you. Mr. Knuppel?

MR. KNUPPEL: I think the debate made it abundantly clear that these words add nothing to our constitution and may be a Pandora's Box with respect to the general government, the bill of rights, the separation of powers clause, and therefore the amendment should be allowed.

As has already been pointed out by Mr. Fay's question in rebuttal to Mr. Lewis, we have taken care of the *Cusack* in another part of the legislative article. This article says "legislative power," and defines what it is—"legislative power is vested"—and then it goes on down, and it seems to add something more by saying, "the General Assembly have all power." This would be additional judicial power, I assume—other powers that would normally be in the executive branch, and so forth—so it creates some court action. It will promulgate litigation over what it is and what the effect of it is, because if it is in there it must do something; but, really, I don't think it is intended to do anything, and I would ask the delegates to join with me in striking it. Thank you.

PRESIDENT WITWER: All right, we are now on Mr. Knuppel's motion. Those who would favor the adoption will please say aye. Those opposed, nay. I guess it is carried.

Now any further amendments? Any further amendments on section 1? Mr. Knuppel?

MR. KNUPPEL: I have an amendment which proposes—and I am joined in it by Robert Canfield, Betty Hill, and William Fogal—which proposes a unicameral legislature with not more than 177 members and by striking the entire section and substituting. Now if this is out of order at this time until there are further amendments in the perfection of this than substitution, I would be happy to stand aside if there are other amendments.

MR. LEWIS: Mr. President, I think it would be entirely appropriate and in order at this time. I think it would be a good time to have it.

MR. KNUPPEL: It reads as follows—the clerk will read it.

PRESIDENT WITWER: Just a minute, please. Is there any minority proposal on section 1 of this report?

MR. KNUPPEL: There is a minority proposal.

MR. LEWIS: There is, Mr. President, but solely on the number which we would not need to get to, and as far as the committee is concerned it would waive any further proposition until the matter of unicameral, bicameral, and parliamentary form are decided.

PRESIDENT WITWER: Well, the point is, there is a minority proposal the thrust of which is adverse to the legislative establishment?

MR. LEWIS: No.

PRESIDENT WITWER: It is only on number?

MR. LEWIS: It is only on number.

PRESIDENT WITWER: Then it would seem appropriate at this time to receive this amendment. It is in the nature of a substitute, and we will go ahead. Will you read the amendment, please?

CLERK: Amend section 1 by striking the entire section and substituting, in lieu thereof, the following: "Legislative power is vested in a single-house General Assembly of not more than 177 members."

PRESIDENT WITWER: Is it seconded? Mr. Canfield seconds. Would you like to proceed with it? Mr. Alexander will you kindly take the gavel?

VICE-PRESIDENT ALEXANDER: Delegate Knuppel, will you proceed?

Mr. Fay's question
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MR. KNUPPEL: Yes, Mr. Chairman and ladies and gentlemen of this Convention, this proposal, in my opinion, presents one of the threshold questions—one of the truly great threshold questions—of the Constitutional Convention. The question here is whether you want a two-house General Assembly or a single-body General Assembly.

Over the last 100 years the people of the State of Illinois and over the United States have watched the legislative branch of government atrophy in its effectiveness with relation to the judicial and executive branches of government. We have all witnessed the fact that the Supreme Court of the United States and other courts have taken onto themselves legislative functions in the discharge of their duties which rightfully belong to state legislatures. This is one of the factors that we have seen and eclipse of the legislative branch of government as a partner in a tripartite form of government.

Now in reference to the legislative article, comparative information will lead you to the debates of the 1870 Constitution, and I would commend to your reading commencing at page 100—this is not paged, but it is following the unicameralism, in two-thirds of the way back in your book. It is an interesting and a very informative article on the history of bicameral legislatures as opposed to unicameral legislatures.

I came to this Convention totally dedicated to a bicameral legislature. I campaigned on this and came to the committee reporting it. I listened for four months to the testimony that was brought before the Legislative Committee by the various members of the legislature, ex-members of the legislature and members of the General Assembly, and by professors from all over the United States. The longer I listened, I came to the conclusion that there were no effective recommendations that would upgrade the status of our legislative branch of government except—that of a unicameral body, where a proposition would be debated once. It would be decided. It would make the legislature a stronger branch of government in relation to the other branches of government. It would make the legislative process more visible.

We were told that there should be two-body houses for the reason that bad bills sometimes got through one house. Now, no legislator—explained how this happened. We were told by one legislator that he gets a note from somebody else in his area that says, "Don't ask me why, but a bad bill got through the house. Kill it in the senate," or vice versa. The people are entitled to more than this. The people are entitled to an effective legislature in the state of Illinois.

Now, I submit that just abolishing cumulative voting, notwithstanding all of the newspaper editorials we have been reading, will not correct the situation we witnessed here in Illinois this year where twice—where twice the General Assembly has adjourned without effectively dealing with the problems of the people of the state of Illinois; and it would not really have mattered if those people in those houses had been elected in the first instance from single-member districts or elected, they are, by cumulative voting, regardless of what the newspapers may have said. The only way that we can abrogate the disputes which arise between the two houses is to abolish one of them.

Now, I realize that probably there is not enough strength in

this Convention to carry a unicameral form of government; but I submit to you that we will take and consider this problem again, either as an amendment to our constitution or in some other manner within the next twenty years, because as the total number of bills introduced into the house and senate increase from 2,000 to 4,000 to 6,000, it seems ridiculous that we should grind these bills through two sets of committees, two houses, and then resolve the differences in a conference committee.

Now many of the witnesses who testified before the Legislative Committee praised the conference committee. One person even said that he liked a bicameral house because of the great effect of the conference committee; and, when asked, he couldn't really explain what the conference committee was. I'll tell you what the conference committee is. It's a unicameral body created out of the two houses to solve the inadequacies of the bicameral system.

Now a single-house legislature would increase the prestige of its members—would make more visible and understandable to the people of our state the legislation which comes before our General Assembly. I have proposed some sixteen or seventeen different improvements that would be created by the adoption of a unicameral body. It would provide for a united rather than a diffused representation of each district in legislative matters. The way it is now, the senators blame the representatives—the bill was killed in the house or vice versa—it was killed in the senate. It would fix responsibility.

Apportionment would be simplified. This is one of the real tragedies, and this is why unicameralism is getting a second look. It used to be that there was a reason for two houses. One represented geography, the other represented people, and there is a reason for it in the federal form of government because each state has two senators, chosen on the basis of geography, and it was formed from thirteen sovereign nations who gave up some of their power, and they made a contract, and this is the way they made a contract.

But in a state all power derives from the state, and under the concept of one man-one vote, there is no longer the reason for geographic representation. The reason now is to represent one man, and he doesn't need to be represented in two different houses. I submit that if two houses are better than one, then why not three or four? And if this is true, why not two Constitutional Convention bodies here? Possibly some of the differences we have might be resolved by a second body—have a higher and lower house.

There are cities larger than many states which today operate with city councils composed of a single house. Nowhere in the history of the world has there been bodies where one had the veto power over the other designed to serve exactly the same function. Now in England the House of Lords was elected in a different manner, designed to represent different interests and to act differently. The same was true in Italy and in every other history of the world. But we some way got off on the wrong foot for the one man - one vote concept which we followed the federal system. Now, if we could still elect the senate on a geographic basis, and the House on a one man-one vote concept, there would be some reason for retaining bicameralism.

One house will eliminate deadlocks resulting from rivalry

between the houses which we have witnessed this year. It will attract better candidates because of increased prestige and visibility. The buck-passing between the houses will stop, and responsibility will be squarely placed on that one legislative body. The legislators will be less readily corrupted, because public visibility will be focused upon the single chamber. The actual practice has failed to demonstrate that the two-house chamber acts as a check upon unwise legislation because both houses frequently pass bills which are quite similar with only a little bit of difference and the two bills go to the governor for his acceptance or rejection. This happens in a number of cases in each session of the legislature.

Since fewer members would be involved, fewer bills would be introduced. Thus those bills that are introduced would make it possible for legislators to give them more and fuller consideration. It would avoid simultaneous introduction of bills in two separate houses and the vast expense that goes with grinding 4,000 or 5,000 bills through each house.

One house would result in a substantial savings in tax money to the taxpayers. A study done in Michigan pointed out that each member of the General Assembly cost the people of the state an estimated \$192,000 per year. Stop and think what 100 unnecessary legislators in our two-house chamber is costing the people of the state of Illinois over the next 100 years. You must consider these things, because we are here to deal with concepts that will go into our constitution to last in perpetuity—we hope.

The space provided for the smaller legislative body would provide office and service area necessary—so vitally necessary. Our General Assembly presently is badly understaffed. It would provide space to give them offices and assistants. It would eliminate competition between the houses for legislative recognition; allow proper use of checks and balances between the legislative, executive, and judicial branches of government. Instead of the two houses acting as checks and balances upon each other, they would act as a proper check and balance on the executive and judicial branches of government. It would avoid duplicative enactments requiring gubernatorial review and veto, and would avoid wasted effort in reconsideration of identical bills and proposals by two houses.

I submit, ladies and gentlemen of this Convention, regardless of whether or not you adopt this proposal, it belongs in the debates of this Convention for the purposes of history, for political researches and otherwise, because I say that the unicameral legislative body is the way of the future. Every province in Canada now had adopted a unicameral system. And I thank you for your time and attention.

VICE-PRESIDENT ALEXANDER: Thank you, Delegate Knuppel. Before we proceed, I would like to inform you that we are proud to have with us today Mrs. Kathryn McPherson of Downers Grove, and Mr. and Mrs. Edward Zitka of Hinsdale, Delegates Kinney and Peccarelli inform the Chair. We are glad to have you with us and our other guests as well. We are happy to welcome you to this session of the Sixth Illinois Constitutional Convention. Delegate Canfield, and then Delegate Friedrich.

MR. CANFIELD: Mr. President and members of this Convention, I hope that those of you who are here will think seriously of what Mr. Knuppel said. I think very often, as we

find today, that he is very close to the feeling and the understanding of the people of this state. Now I haven't been on the floor for nearly two weeks for anything, and I would like to touch upon this for just a little bit, because I think probably while we may not win, we probably may accomplish a great deal, and I hope you do give us your vote on it.

But I think Mr. Knuppel has hit the core when he has ascertained that the people of this state already have accepted the fact that the legislature is too large, too cumbersome, and too confused; and they want a change. They want a decrease in number. They want a decrease in the kind of confusion that we have just witnessed.

The people of Chicago are properly concerned that they have been neglected by the legislature; but it is so hard to attach responsibility to a two-house body of varying sizes from overlapping and confusing districts, and as a result of this confusion I think that the people of our state are demanding simplification in government, and I think every one of us knows that they were for the reduction of duplication in government.

The duplication which we have in the legislature of this state is purely traditional. As far as I can determine there is no reasonable basis for it. I think Mr. Knuppel hit the thing right square on the head. It would be exactly as sensible to have two Constitutional Conventions in session at the same time. I do not think there is any reasonable distinction between the two. How utterly illogical it would be, how unhappy we would be if we had another body, we'll say three times as large as the one we have here, passing upon what we do after we get through here. We wouldn't be through for years at that rate but yet that's the procedure that goes through the legislature and that's why you have the consternation on the front pages of our newspapers day after day—saying that the house and the senate agreed, and one day they say the house and the senate disagreed, and the next day they say they have disagreed and finally they all pack up and go home. I have been through the process; I know it. And we are paying for it.

Now, I am sure that this Convention will fail the people of this state if it doesn't do something about the duplication, the confusion, and the oversize of our legislative bodies. We can say that the people are not aware of it, but you can't talk to your constituents any day on the street without knowing whether it is a CTA bus or whatever it is, that we know what the legislature is costing the state, and I would say that 95 per cent of that could be eliminated if you had one sound body that would face up to the problems.

Now the idea of shifting responsibility between the house and the senate has grown to be a very serious thing in this state, probably more serious today than it has ever been before. The idea of having two houses in the legislature is only an attempt to copy the federal system without any rhyme or reason for doing it.

With one man-one vote there is absolutely no reason at all for having two houses of the legislature. It is purely duplication. It is purely running over the same track twice with different groups of people. It is duplication, as I say. If duplication existed at any other level of government—in county government, county government, or state—any other level of government, any other municipality—we would cut it out so quickly that the Convention that it would make your head swim. But still

tolerate it purely because it is traditional, purely because we've got some people in there who may oppose us if we go to a one-house system.

I long ago learned never to vote for anything because somebody might oppose me one way or the other. The only question is—is the cause good or bad. As soon as you start voting on the public's rights on the side that will give you, you think, the most votes, or the least opposition—you are failing the people who sent you there. And I hope that no one will vote for this simply because they think the people who are involved in the legislature, either as members or associates, will oppose it—because probably they will. But that is going to happen on every issue.

Now, in conclusion, I would say that all the problems that we are having here regarding the General Assembly could well and properly be cured. Our problem of cumulative voting would go out the window if we got down to one solid, sensible house of reasonable size. The legislature in Illinois has always been much larger than most of the other states, and it is truly much larger than comparable states today. What we should do is get down to one house. We wouldn't have to worry about single-member districts, cumulative districts, coterminous districts, overlapping districts—all those problems would be cured by simply facing up to what the people want. They want removal of duplication. They want efficiency. They want responsibility attached to where it should be.

You can go over this thing for weeks and weeks, and the only reason that we have the two-house system in any state is because that state has copied the federal system, which is entirely different, has no relation to state government, and perhaps we would shock the tradition of some people if we change. If we are afraid to move away from the traditional and the past in an area like this, we will have failed the people of this state for the future.

I agree with Mr. Knuppel. I believe he is close to the people. I believe he is giving them what they want, and I hope he wants it too, because I know he is a good student of this problem. And I hope that we can have the courage to look into this thing, not as somebody who is trying to protect a few people in the house or the senate, not on the theory that duplication is good in government, but on the theory that duplication is bad, it's expensive, and it's confusing. And I hope that this body will consider this thing seriously, for I don't think that there is one valid reason for maintaining two cumbersome, large houses of the legislature in this state; and I am convinced that Mr. Knuppel—if he does not win on this today—will win on this in the future. Thank you.

VICE-PRESIDENT ALEXANDER: Thank you, Delegate Canfield. Delegate Friedrich?

MR. FRIEDRICH: Mr. President and delegates, the only reason I can think of being for this is, if you are for the 1870 Constitution, this might be one way of getting it, that is, put this section in here.

I was about to suggest that if Delegate Knuppel became Senator Knuppel and served a little while over there, he might think differently about this, until Senator Canfield, who has served time over there, supported it.

I will say this, the theory, I think, on the two-house thing—and this is being a little facetious—but there is a theory, which

I agree with most of the time, that anything that slows down the process of legislation is probably good for the people, and certainly the two houses do that.

As for having a second house around here, there are days when I think that might be a good idea, too, but I doubt at this time if we can get that adopted.

I want to talk a little bit about the conference committee, because Delegate Knuppel belittled that process. I had the privilege for four years of appointing the senate members to these conference committees and serving on a number of them, and I can say that that serves a very useful function in the process of legislation in getting together and getting some compromises which we don't seem to be able to get around here. But those conference committees are a very valuable part, and there are times when even they do not agree and a second conference committee is appointed with different members; and they do have to be changed in the second round on matters of reapportionment, for example, which are some of the most difficult things that the legislature has to do. They invariably end up in conference committee, and I have appointed the members and also served on it. I think that is an important argument for the two-house system.

Now, it was said that nothing was ever developed in the committee which indicated that one house killed the bad bills of the other. Well, I can tell you that the senate killed a lot of bad house bills, and even once in a while the house killed a bad senate bill. That's not quite so frequent, but it does happen. I want to tell you one case that happened, and this is what can happen. Representative Norman Shade, who is a good friend of mine, when he first came down to Springfield introduced a very bad bill, in my opinion. It had to do with mechanic's liens. Well, Norm Shade was a fine guy and everybody liked him, and nobody ever said anything about the bill. They stood up and told what a great guy Norm Shade was. The bill came out of the house with a unanimous vote. That's not uncommon for a new member to have that kind of treatment on a bill. It got over to the Senate Committee on Judiciary. It had a short hearing in which Senator Groen told what a great guy Norm Shade was. It got exactly two votes, which is exactly what it should have gotten in the house. That's one of the finest examples I know of a second house killing a bad bill that came from the first.

I think any of you who observe the legislative process here in Illinois, and in the federal level for that matter, knows it was by design of the writers of the original Constitution that there be two separate houses and for two very good reasons. The first house—the lower house—was supposed to be very responsive to the people. They were kept at two-year terms even at the national level—and I know that congressmen hate to run every two years—they are literally running all the time. As soon as they are elected they almost have to announce their intentions to run again. The same thing is true here. The senate, with a four-year term, has a great deal more stability. If I had a choice, I would have the senate on an area basis, but that's out. But it still has the element of more stability than the house because of the smaller number, the longer terms, and the fewer members that turn over between sessions. I think it would be a tremendous mistake for Illinois to go to a one-house legislature.

VICE-PRESIDENT ALEXANDER: Thank you, Delegate Friedrich. Are there others who wish to speak before we ask Delegate Lewis to speak for the committee and then Delegate Knuppel to close the debate?

MR. LEWIS: Mr. Vice-President, I did not intend to speak for the committee, but only to speak.

VICE-PRESIDENT ALEXANDER: Excuse me, then why don't you go ahead? I believe Delegate Kenney wants to speak as well. So Delegate Lewis, you are recognized at this time.

MR. LEWIS: Well, I merely, as chairman of the committee, wanted to applaud the effort made by Delegates Fogal and Canfield, who certainly made very excellent presentations to our committee that were highly impressive and certainly swayed our feelings considerably. I think that the committee felt, on balance, that at this time there was not a sufficient ground swell for a change of this kind, either in the press or in the public, that we could possibly risk the sale of this with the entire package, without a considerable lot more groundwork being made.

We do not discount the possibility that some time in the future the public might determine that this would be the way that they would prefer to go; but as of the present time, we remember the testimony of one of the witnesses who stated that he thought the unicameral system was a system whose future was well behind it. It is one that is a difficult matter to assess because of the lack of experimentation with it in the United States. We did have a witness from the state of Nebraska, Mr. Sorenson, who was the lieutenant-governor of the state of Nebraska who certainly testified as to how it works there, and yet the majority of the committee was unable to relate the experience there to the vastly different state of Illinois. For that reason I do want to express our appreciation to the two delegates who made the proposal originally and to Delegate Knuppel for his rather historical presentation here today. With that I will defer then to the summation by our vice-chairman.

VICE-PRESIDENT ALEXANDER: Thank you, Chairman Lewis. The Chair now recognizes Delegate David Kenney.

MR. KENNEY: Thank you, Mr. Vice-President. As one who favors Mr. Knuppel's amendment, I would like to offer you certain information relating to the number of bills introduced in the General Assembly in recent years, and the effect of the bicameral system upon the effective bill load. Due to the rapidly increasing complexity of social, economic, political, and other affairs of a state so populous and technologically inclined as the state of Illinois, the number of bills introduced in the last decade in the General Assembly has increased very rapidly. I think I can illustrate this quite readily.

In 1945, the number of bills introduced in both houses was approximately 1,500. Twenty years later it had slightly more than doubled to, in 1965, approximately 3,600 bills introduced. Then in the sessions of 1967-68—and the General Assembly met in both of those years—the number of bills introduced was over 5,000. So we had, you see, an increase of about 40 percent from '65 to '67, and in '69—and of course the present General Assembly has not yet adjourned sine die—in '69, the first six months, the number was over 4,200. I am sure

there have been a great many more in meetings of the General Assembly since that time. My point is that the number of bills introduced is rising very rapidly, the curve is going up very rapidly.

And let me point out an aspect of bicameralism that is not often given attention. It multiplies the actual number of bills introduced because, of course, in a bicameral system the senate must consider bills approved by the house, and the house must consider bills approved by the senate, in addition to the initial introductions. And thus if we take the year 1965, in the General Assembly of that year, there were 3,590 bills introduced. The effective gross bill load was 6,266 because of this fact that the bills passed in one house then had to be considered by the other. So as the actual number of bills goes sharply upward the effective or gross bill load goes to even higher levels; and I would certainly agree with Mr. Knuppel that if we don't at this time give serious consideration to unicameralism and adopt it, we are going to be forced by gross bill load within the next few years to return to this extremely vital subject. And I certainly urge your support of Mr. Knuppel's amendment. Thank you.

VICE-PRESIDENT ALEXANDER: Thank you, Delegate Kenney. Were there others who wish to speak? Delegate Howard?

MRS. HOWARD: I can't add much to what has been said by the other delegates in favor of unicameralism. I do feel that the difficulties that we have in evaluating unicameralism arise from the fact that Nebraska is the only state that does have it. However, I would beg any of you that are interested in good government to closely examine the structure in Nebraska, for I think their experiment there does demonstrate that unicameralism can run with efficiency. It is free from log jams and deadlocks and recurrent crises as we have in our bicameral legislature.

And also if you will do some of the reading of some of the publications on good government, I think you will find in a book written by Dr. Snyder, one of the foremost scholars on state and local government, that he strongly recommends and strongly feels that in our modern day a unicameral legislature is a necessity. The National Municipal League in their Model State Constitution does recommend it, and also someone mentioned today about the public perhaps not being ready for this. I would like to call your attention to an editorial which appeared in the *Peoria Journal Star* on October 4 of last year in which they said, "Tradition is probably the greatest and one of the strengths of the two-house system." I personally feel that the time is here to abolish the duplication which we have in a bicameral legislature, but like the other speakers and proponents of unicameralism, I do not expect you to be ready for this today.

VICE-PRESIDENT ALEXANDER: Thank you, Delegate Howard. The Chair now recognizes Father Lawlor, and then we will ask Vice-Chairman Reum and Delegate Knuppel to conclude the debate.

FATHER LAWLOR: Mr. Vice-President, fellow delegates, I wish somebody would explain to me the reason for two houses when we are using the same basis on which to elect them. They are going to do exactly the same work. It seems like a total duplication to me. The same people are electing the

some individuals and then asking each one to come up with legislation for the common good, and I don't see any real check or balance in this. It just seems to be extra work, extra staff, extra salaries. We need more seats, more accommodations, and they are a burden on each other's back because what one does, the other has to do over again. It doesn't seem reasonable.

I don't think the same reasons are there that we have in the existence of the United States Senate and the House of Representatives. The Senate represents states, the Representatives, people; and I think that the time has come when maybe a single house would best serve our needs, and I am utterly surprised that more of you are not debating this issue because there is a lot of experience here, and those who know the facts, I wish you would somehow bring them out and justify why you want two to do the work that one can do.

VICE-PRESIDENT ALEXANDER: Thank you, Father Lawlor. And now—excuse me—Delegate Helen Kinney?

MRS. H. KINNEY: Even though its time has not come perhaps, there is some merit in considering this proposal. I would simply like to supplement what my friend and seatmate Dr. Kenney has said. There have been occasions in the Criminal Code where in the same section, covering the same subject matter, there has been a house bill number so and so, a senate bill number so and so, both have been adopted, and then to determine what the law actually is, one must compare the bills for inconsistencies and determine from the effective date of both bills which one is controlling. I think there have been very meritorious arguments made for giving this serious consideration. Thank you.

VICE-PRESIDENT ALEXANDER: Thank you, Delegate Kinney. And now, Vice-Chairman Reum, will you summarize for the committee?

MRS. REUM: Mr. Vice-President and distinguished delegates, I would like to repeat that Illinois has always had a bicameral legislature and it has been well accepted by the people of the state. I repeat again, it should be given a further opportunity to prove its merits under one man-one vote.

The arguments for a bicameral legislature rest upon these important premises: (1) two houses provide a technical review and tend to minimize careless legislation; (2) a second house provides a check on nasty legislation and on legislation prompted by popular passion.

A two-house system permits "graduation" from the lower house to the upper and thereby aids in developing a group of experienced and capable legislators; fifty percent of the senators are six-termers, and in the house 30 percent are six-termers.

A bicameral legislature is more difficult to corrupt than a unicameral legislature, and with a bicameral system one would expect a larger legislature and the citizens might feel that this would increase the possibility that they would know someone in the legislature. They can always find some member in the house that might agree with their philosophy as against the member in the senate, or vice versa. As one of the members of an important organization in this state testified, they felt that they had two chances to approach legislators, and they felt that this was very significant.

So I would like to also add that the people are guaranteed

an opportunity to organize and oppose legislation during the period before enactment by the second house. We have felt that this is so important that we have also included in the constitution that there shall be adequate public notice for committee hearings, so that the public has an opportunity to contact their legislators, and they have the time.

A bicameral system permits the defeat of undesirable but popular legislation where outright opposition to the legislation would be politically dangerous.

I might respond that the majority of the committee has recommended a reduction in the size of the legislature and that this would be a considerable savings of money right off the bat, and would involve saving at least \$1,200,000.

I might respond to the fact that Nebraska has a unicameral legislature. I might suggest, ladies and gentlemen, that Nebraska has nonpartisan elections and is a state much smaller than ours—a much simpler society as compared with our complex problems of the rural and with the metropolitan and urban problems that we have.

And finally I would like to quote, with reference to the conference committee, recently in one of the metropolitan newspapers the President of the United States was quoted as saying—was referred to by Mr. William McGaffin of the Washington Bureau who kind of editorialized in this first sentence that

The President was on solid ground last week when he reminded his television interviewers of the importance of the House-Senate Conference Committee in the United States legislative system. He said that although the public may not think it is very important, it is probably the most important legislative entity that we have in our government.

For these reasons the committee recommends the retention of a bicameral legislature. Thank you.

VICE-PRESIDENT ALEXANDER: Thank you, Vice-Chairman Reum. And now Delegate Knuppel, you have a maximum of five minutes in which to summarize your position.

MR. KNUPPEL: If you will let me know a minute before I finish.

First I'll address myself, ladies and gentlemen of this Convention, to the remarks made in opposition to a unicameral body, and we'll start with the proposition of what a wonderful thing the conference committee is. Somebody said I criticized it. I didn't. I praised it. It is a unicameral body. The conference committee is a unicameral body, and it is the only way. You've got to go to a unicameral body to resolve the differences—the inadequacies which arise by reason of a bicameral house. Now it is suggested, and therefore this is not an argument at all in favor of bicameralism, but rather an argument in favor of unicameralism, because you'd have your conference committee in the single house which then would exist.

Now something was said that this could slow down legislation. This can also be done by rules, by delaying second readings. I say that this is no argument for a bicameral as opposed to a unicameral house. An argument was made that they thought so much of this bicameral system that they were going to post notices of the meetings. I'd suggest that in the confusion which exists in our General Assembly they have to post notices, and maybe they'd only have to post half as many if

they had a unicameral house. It is suggested that the senate kills bad bills. I thought that was the function of the governor to veto bad bills. I didn't think that the senate had to do the duties of an already overpowerful executive branch of government in our state.

Also Chairman Lewis spoke apparently in opposition to it, but I will quote and paraphrase what Mr. Lewis said in the committee. He served as a good chairman and took no position in the violent debate and close cross-examination which occurred with respect to every witness who appeared before that committee and advocated bicameralism. At the conclusion of the whole thing Mr. Lewis leaned back in his chair, and I think these are his exact words: "I've not been impressed by the arguments of those who appeared here favoring bicameralism. I nevertheless will support it."

Also the only argument—the only argument of Mrs. Reum, the only argument of any other member on this floor is that it is traditional. Now that is the poorest argument. Farmers planted corn in forty-inch rows so the horses could walk between. And after they stopped using horses, they continued to plant it in forty-inch rows for twenty years because it was traditional; and all of a sudden the modern farmers have discovered that thirty-inch rows are far more productive and most of them are going to thirty-inch rows, and the farmers in this Convention know that. I can see no reason why we should be tied to tradition.

Another thing I would say is, Mrs. Reum suggested, "Let's let it prove itself." If we don't give it a chance to prove itself here or in some other state, how can it prove itself? Where will it prove itself? I ask her, if they don't give it a chance to prove itself any place but Nebraska where it has proved itself eminently well, then how can it prove itself? And I suggest that the comparison of Illinois with Nebraska is unfair to the unicameral system, because Nebraska could function much better under a bicameral system than we do because it is smaller and less complex. The unicameral body is designed to solve problems of a complex society as exists in large cities where they have adopted it.

Now I ask you, please, delegates of this Convention, raise up your eyes unto the future. Give the people of this state the representation which they are entitled to, and as Abraham Lincoln stood only a few feet from where I stand 100 years ago and said that "a house divided within itself cannot long endure," I submit to you that the people of the state of Illinois cannot long endure the inadequacies of a bicameral system in the complex society—the horizons of the nuclear and the atomic age in which we live—and the cost annually of \$19,-200,000 that's caused by continuing a bicameral system. I say again, raise up thine eyes and follow and go with me into that area of better government where the legislature has been raised up to a full partnership with the judicial and the executive branches of government. Thank you.

VICE-PRESIDENT ALEXANDER: Thank you, Delegate Knuppel.

MR. KNUPPEL: I want a division, please, on it.

VICE-PRESIDENT ALEXANDER: You want a division? There has been a request for a division on the Knuppel amendment which would strike section 1 and provide, in lieu thereof, "Legislative power is vested in a single-house

General Assembly of not more than 177 members."

You have heard the request for the division. Are there four who join the request? There are. Mr. Clerk, will you count the hands? Those who favor the Knuppel amendment will indicate by raising a hand. Will you lower them? Now, those who are opposed will indicate by the same sign. On this question the yeas are eighteen; the nays are sixty-five. The time has not yet come for unicameralism. John. Delegate Knuppel.

MR. KNUPPEL: I want to thank those who voted with me. That's a lot better than the single member who stood here 100 years ago alone. Thank you. (Applause)

VICE-PRESIDENT ALEXANDER: John, as somewhat of a history buff, I would like to ask you more about that Lincoln speech given 100 years ago. According to my calculations, he had been in his grave for five years. (Laughter)

Are there other amendments to Section 1? Delegate David Kenney?

MR. KENNEY: Mr. Vice-President, I have one relating to the number of legislative districts, but I believe by agreement it was to follow Mr. Peccarelli's amendment. Is this not the case, Mr. Lewis?

VICE-PRESIDENT ALEXANDER: The chairman indicates that is the case.

MR. LEWIS: That is correct, and I think we would move on to Tony Peccarelli.

VICE-PRESIDENT ALEXANDER: Before I call on Delegate Peccarelli, I think you would be glad to know that the wife of our good friend and colleague, Delegate Sam Martin, is in the gallery today. She is with a group of women from the Iroquois County Republican Women's Federation and their president, Mrs. Mary Bricker. We are glad to have you with us. (Applause)

Now, Delegate Peccarelli?

MR. PECCARELLI: If the clerk would read the amendment, please.

VICE-PRESIDENT ALEXANDER: Mr. Clerk, will you read the Peccarelli amendment?

CLERK: Amendment to section 1 of the Legislative Committee Proposal No. 1.

Amend Section 1 by striking lines 1 through 6 on page 9 and substituting, in lieu thereof, all the lines on pages 1 through 12 of the dissent to Committee on the Legislative Article's majority report and proposed substitute of entire majority report of the Committee on the Legislative Article submitted by Anthony M. Peccarelli on July 7, 1970, which is incorporated herein by reference and made a part hereof, which proposes a complete revision of the legislative article to provide a modified parliamentary system.

MR. PECCARELLI: Mr. President, I move its adoption.

VICE-PRESIDENT ALEXANDER: You have heard the motion. Is there a second? Seconded by Delegate Peros. Now, Delegate Peccarelli, will you proceed with the explanation?

MR. PECCARELLI: Thank you, Mr. Vice-President fellow delegates, you do not have all of the language attached to this one page of my proposed amendment before you at the

For a One-House Legislature

By Jess Unruh

The heavy double doors are locked and barred. A burly sergeant-at-arms gently, but with authority, refuses entrance to everyone. Even senators and assemblymen cannot pass. Occasionally the doors will be opened by the sergeant and through the cigar smoke a quick look will reveal six men. Shirt-sleeved, ties loosened, they reflect the same harmless goodwill you can see four nights a week in any of a dozen rooms in the Senator Hotel when a poker or blackjack game is in progress.

But there is nothing harmless about the meeting going on behind the barred doors. And the stakes are far higher than the crisp hundred dollar bills that change hands between lobbyist and legislator in friendly poker games.

Before the six men come out of the walnut-pannelled room they will have passed judgment on life and death matters for many of California's 20 million residents and will have spent nearly 7 billion tax dollars collected from the citizenry.

There are no rules—except those decided on by the conferees. No reporter is inside the room to report the proceedings. There is no requirement that the report on their deliberations be rendered by a certain time. And there will in all likelihood be very little time for other legislators or the public to do more than skim the document which will finally be produced.

All of the work laboriously put into a budget bill for nine months by thousands of civil servants, administrators and legislators means absolutely nothing if it does not meet the approval of the six tribunes in that room.

This is a free conference of the California legislature. Scary, you say? Should be changed and cleaned up? The press ought to be allowed in? Perhaps. But, before condemning the six legislators and the institutions they represent, let's take another look.

Jess Unruh, "One House Legislature Advocated by Unruh," *National Civic Review*, May, 1971, pp. 253-258, 270.
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The three senators and three assemblymen who will spend over a billion dollars each are doing what comes naturally in today's legislature. They are reconciling the differences between the decisions made in each of the two houses. It is a process which has been going on for decades in 49 states and will continue as long as the two-house or bicameral legislature exists.

State legislatures under the bicameral system are costly and inefficient anachronisms which thwart the popular will, cater to private interests, and hobble responsible decision making, until they are no longer responsive to the needs of the people they are supposed to serve.

This lack of accountability to the people is not a problem unique to our state legislatures, but is permeating every level of our government. We see it at work in our monolithic bureaucratic agencies which have almost become governments unto themselves; we see it in our costly and iniquitous system of justice; we see it in the wasted education of our youth. And we feel it in the growing hostility and frustration of a large number of our citizens. Indeed, it may be that this frustration is the only thing that will "bring us together."

If we look at the militant student protesting the Vietnam war or irrelevance in his classroom, and at the middle-income suburbanite venting his ire on local school bond requests, we see they have at least one thing in common: They are both enraged at the inability of government to deal effectively with what they see as the principal problems that confront them.

In response to these growing complaints, some attempts are being made at governmental reform. President Nixon and others are now talking seriously about reforming the federal executive and bringing the states into parity with the federal government through revenue sharing and block grants.

I predict that their efforts will have little effect on improving the quality and responsiveness of state government unless state institutions themselves are drastically revised. And basic to that restructuring is the overhauling of that institution which will have to pass upon the revision of every other state agency—the state legislature.

The most far-reaching reform, the most drastic step we could take toward making our state governments more responsive, more honest, more efficient and more economical is the introduction of the unicameral or one-house legislature.

No matter how much we concern ourselves with upgrading the legislative process, we will fail unless unicameralism is made central to the present efforts to reform and modernize state legislatures. I believe in increased salaries, better facilities and profes-

sional staff. But they are not enough. These reforms in themselves only make a more efficient horse and buggy. The bicameral legislature still remains almost hopelessly outmoded, only perpetuated by tradition and special interests.

Even the original rationale for the two-house legislature, to guarantee some representation of people as well as of property, has been removed by recent Supreme Court decisions guaranteeing equal representation. Under the one man, one vote rulings first enunciated in *Baker v. Carr*, representation of people has finally become paramount over the representation of geographic areas. . . .

If efficiency and representativeness stand to gain under unicameralism, the special interest groups which now dominate our bicameral legislative process stand to lose a great deal.

Consider just one special interest—the liquor industry. In California the wholesale liquor distributors have succeeded in building into our laws protective measures such as state-guaranteed collection of accounts from retailers. To kill any reform legislation dealing with the liquor industry and preserve this economic sanctuary, all the liquor lobbyists have to do is woo and win a majority of *one* committee in *either* house of the state legislature. This may mean only three men. Elimination of bicameralism would increase the possibility of repealing this grossly unfair legislation.

Almost every state has its privileged industries or groups which thrive under the protection that unwieldy, unresponsive legislatures afford them. The power of these groups over the government should be curbed, but cannot be as long as the many obstacles to reform are compounded by a bicameral legislature. It is clear that basic reform cannot happen in state legislatures which were designed to afford maximum protection to those who need it least.

If the clandestine "poker game" of the free conference and the "legislative black jack" of special interests now witnessed under our bicameral system do not offer reason enough to consider unicameralism, let us look at the problems from a point of reference we can all understand—in terms of money and economy.

Today there is a renewed interest in making legislatures equal partners in the governmental process. And, as we have indicated, there is probably no more important step to be taken in making our federal system work better. To upgrade legislatures is, however, an expensive proposition. For many years legislative budgets have been neglected. Most legislatures are still woefully underpaid, understaffed and lacking in such basic necessities as office

space, clerical help and even telephone allowance. Some legislatures will have to build expensive new buildings to house a significantly enlarged staff. Taxpayers are not likely to look with favor on the drastic increases in spending that will be necessary to achieve these reforms under the present, inefficient bicameral system.

But most legislatures, particularly those in the larger states, could give themselves the tools necessary for proper decision making *without* significant budgetary increase by eliminating one house. Not only would this greatly decrease the number of legislators, offices, telephones and secretaries that must be paid for directly, it would also permit a reduction in staff and spending by those public and private agencies which must deal with the legislature.

To illustrate, let's use again the annual state budget and follow its tortuous course through the California legislature, a body universally conceded to be the best in the nation. The budget is introduced in the same form in *both* houses. It is then sent to the finance committee of each house. There it consumes most of the time of 25 to 30 per cent of the members of each house for from four to five months, sometimes more. It also consumes the bulk of the time of the highest-paid Assembly and Senate staff employees.

But, this is only the visible and expected part of the iceberg. It also draws the major part of the staff time of the top people in the governor's Department of Finance—scurrying back and forth between the Assembly Ways and Means Committee and the Senate Finance Committee. Each executive department whose budget is being scrutinized also sends representatives to these two committees and their many subcommittees. Lobbyists and interested citizens' groups also have to cover both houses. All of these people will be paid either directly by the taxpayers or indirectly by the tax write-off.

But all this is really shadowboxing because, as we have seen, the budget is finally written by three senators and three assemblymen in a free conference committee, and the product of their labors and decisions may bear little relationship to the budget passed by either house.

The days (sometimes weeks) of labor that these six members contribute again require the attendance of top staff people of the Legislative Analyst's office and the Department of Finance.

It is just as bad with other legislation. A school finance bill must be sent first to the education committee of the house in which it was introduced, then to its finance committee, then to the floor and then, if the bill passes, the whole maddening process is repeated again in the other house. This requires

representatives of executive agencies, legislative staff and affected interests to appear at every repetitive step of the way. And, again, the final bill may well be written in a so-called free conference committee of six members to resolve the disputes between the houses, or to do *whatever else* comes into their minds.

Or there can be yet another level of committee operation in this mess—the joint committee, which is almost beyond anyone's control and often costs much more than it's worth in productive output. The joint committee has the added advantage—to everyone but the people—of allowing legislators to avoid politically difficult problems by banishing them to the limbo of a powerless joint committee. The need for these committees would be *totally eliminated* if there were a one-house legislature.

In those states, such as California, which have already done much to modernize their procedures and abilities, unicameralism should bring no less than a 40 per cent reduction in the costs of the legislature and of those groups which must work directly with it. In California, about \$20 million could be saved annually. The savings would be far more, if you consider future capital construction costs connected with increased staffing and legislative upgrading under the bicameral system.

But I do not suggest merely a penny-pinching approach to federalism. What I am really concerned with is responsible decision-making power at the state level. Two-house legislatures neutralize the force of the legislature in state government. Governors can, and do, arrange alignments of one house against the other over pieces of legislation and programs. This kind of whipsaw technique can ensure the defeat of legislation even though it may be supported by the majority of legislators. Also, most of the more vicious logrolling and logjamming in the legislative process comes about between the two houses.

The California State Senate Finance Committee for years has had a practice of holding all Assembly bills until the last few days of the session to keep a bargaining lever over members of the lower house. Without that excuse, the chairman of a one-house finance committee would be hard put to hold all appropriation measures until the last 10 days.

In my opinion, the committee system provides opportunity enough for governors and special interest groups to exert pressure on legislatures. When one house is pitted against the other, a serious power vacuum is created—a vacuum that outsiders are all too eager to fill. With only one house, however, the legislature would more nearly match the

unified structure of the executive branch and, therefore, be a more worthy competitor.

When a smart governor plays one house against the other the public can rarely identify where the responsibility for defeat of legislation lies. The public can rarely detect the real culprit.

Let me say parenthetically that the press might do a much better and more thorough job covering the legislative process, and pinpointing responsibility, if there were, for example, only one-third as many committees functioning.

Specifically, what legislators desperately need today is visibility. Visibility promotes competence in, and attracts talent to, the legislative arena. It is also the best deterrent to corruption.

What the public needs is to be able to fix responsibility. I do not believe that we can expect the public to support state government until it can be seen who is responsible for what is happening or not happening in state government.

But consider the citizen's problem. He currently has a representative or an assemblyman and a state senator. They may well be in direct disagreement about a measure the voter is interested in. Whose word does he take as to what has happened to his interests? And who is really "representing" his point of view? Under bicameralism the assemblyman can say, "Well, we passed that bill but the Senate defeated it," or vice versa. Under unicameralism, responsibility to one's constituency cannot be so lightly evaded.

Unicameralism may also offer the best hope for our tripartite system to survive as a democratic form of government. If state legislatures are to play a significant role in twentieth-century American government, such basic kinds of reforms must be implemented, and within the very near future. If this does not occur, I doubt rather seriously that legislatures or state governments in general will be an effective instrument of the people's will. The states (and certainly state legislatures) will simply be bypassed in favor of a federal government which is no more responsive.

But, single-house legislatures will only happen if people understand how wasteful and unresponsive the two-house legislature has become.

When your legislature is in session take a close look at its operations. How much time is spent on interhouse squabbles that should be spent on policy deliberations? Are committees in one house passing out bad bills so that the other house will have to take the heat for killing them? Is the Senate stalling bills from the other house as leverage to get its own bills through? Are they creating unwieldy joint committees in an attempt to get around the problems

of two houses and begetting Frankenstein's monsters as a result?

Ask yourself these questions about your legislature. Is there interhouse bill highjacking and name calling? Who speaks with authority on questions involving major legislation? Where would testimony on such legislation get the fairest hearing? Can you identify *exactly* who killed the legislation you felt to be important? Are the lobbyists playing off one house against the other so that legislation on which both houses basically agree goes down the tubes? Is the governor doing the same?

By now you can ask the rest of the questions yourself. The answers should leave you with a clearer understanding of why a lot of people in this nation have concluded that the system cannot produce answers anymore. These people are proposing solutions of their own: burn the whole country down and start over; abolish the states; drop out.

If the states are the critical link in the federal system, state government should have solutions too. If the federal system is worth saving, people at the state level are going to have to give it a lot of help. In every state constitution I have ever seen, the legislative article precedes the executive. I take this to mean that the drafters believed in the importance of a strong and responsive legislature. If the constitution has to be amended to make the legislature unicameral, then the people will have to carry the ball. Few politicians can be expected to abolish their own jobs.

We are constantly told, today, that government should be more businesslike in its conduct. Legislatures can be likened in the governmental structure to boards of directors in a corporate structure. No business has two boards of directors with equal power; under such a structure there could be no direct accountability to the stockholders. We should be able to expect at least as good an organization from the public corporations which spend \$70 billion of our money every year. It's time we got down to business with one board of directors for our state governments.

Or we could abolish it all and let the six men in the free conference committee run the whole thing. That would at least be more efficient—and more honest—than what we have today.



Bicameral Legislatures Are Effective

By Frank E. Horack, Jr.

The proponents of unicameralism have catalogued its merits with a persuasive marshalling of virtues. They assert that the single bodied legislature:

1. Saves time and expense.
2. Guards against hastily enacted and ill-considered legislation.
3. Eliminates the evils of the committee system and the dictatorship of the conference or steering committee.
4. Reduces total legislative costs and permits increases in legislators' salaries so that more qualified legislators may be procured.
5. Facilitates the non-partisan election of legislators.

The worth of these assertions can be measured only in terms of the function of a legislature in our modern society. The choices involved relate not to the form of a particular system of legislative organization but rather to the capacities of any system to realize the social and economic objectives of democracy.

In brief, society expects of a legislative body:

First. An adequate and accurate representation of the electorate in matters legislative.

Second. A capacity to enact accurate and effective legislation based on reliable research and reflecting practical experience.

Third. A facility for the expeditious enactment into law of the wishes of the community when the desires of the community are crystallized and the community is ready for action.

Fourth. The ability to retard legislative enactments when community policy is not yet crystallized and when inaction is more protective of sound community growth than is premature legislative experimentation.

Frank E. Horack, Jr., "Bicameral Legislatures Are Effective," *State Government*, April, 1941, pp. 79-80, 96.
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Bicameral assemblies have long been criticized for their "unrepresentative" character. It is true that the historic origins of bicameralism stem from a desire to give preference to propertied and titled classes. It is also true that this basis of representation has been discarded in American legislatures and legislators are selected by all electors without qualifications based upon economic status. The apparent irrational consequences of continuing a bicameral legislature with a unitary basis of representation is the foundation of the unicameralists' argument. But a system of representation founded on area will remain just as arbitrary in a unicameral legislature. And the practicality or desirability of formal interest group representation certainly is not now worthy of consideration.

Economic representation by lobbyists

Furthermore, the failure of the American legislature to secure adequate interest group representation is more apparent than real. Such representation, today, is informally achieved through lobbyists and representatives of farm bureaus, trade associations, labor unions, temperance organizations, and the multitude of interests that have found legislative representation desirable. The informality of this representation is its chief virtue. Within the framework of an orderly two party system, highly specialized interests may make their influences felt. And no matter what the popular superstition may be, legislators and lobbyists know that influence must come from integrity and ability.

With the growing formalization of legislative committee procedure, the lobbyist must work more and more, as the lawyer, in open court, relying on his special knowledge and skill. To be sure he represents his client—but that, indeed, is democracy.

In an ever increasing measure interest group representatives have demonstrated their capacity for these responsibilities. We have, in fact, today, a type of interest group representation which could be no more effectively achieved under the unicameral system.

The proponents of the unicameral system assert that it will attract more qualified men to the legislature. There is little assurance, however, that a change in legislative form will have more than temporary significance in improving the caliber of legislators. Nor indeed is there any certainty that the caliber of legislators should or need be improved. In spite of the over-emphasis on the deficiencies of legislative bodies the competence of legislators compares favorably with that of judicial and administrative officials. It is true that misfits find their way to legislatures as they do to positions of respon-

sibility in other walks of life. But in a legislature these individuals seldom if ever have significant influence in the enactment or rejection of legislative proposals. Legislative leadership, in the main, is on a high level.

Legislative procedure

Even with competent legislative personnel many critics assert that the bicameral procedure prevents fair and expeditious consideration of legislation. This argument is unconvincing. On the one hand unicameralists contend that existing procedure clogs and delays the efficient consideration of legislation and on the other hand they assert that legislation may be rushed through the legislature and enacted without the safeguards of deliberation. Even if true these are not exclusively the consequence of the bicameral system. Procedure must rely on human integrity and judgment.

Criticisms directed at clumsy procedure frequently overlook the cause and justification for such procedure. Without desiring to defend some of the archaic constitutional limitations such as the three-reading rule and certain voting procedures, justification of many deterrents to action may well be defended on the grounds of their deliberative effect. In other words when legislatures are unable to agree on proposals they frequently reflect the uncertainty of the society which they represent and the resulting inaction may best accord with the wishes of the electorate. On the other hand when controversies over policy have been settled in a given community the obstacles to rapid legislative enactment frequently are dissipated. Many informal devices promote this result.

With a single party in control of the legislature, the party caucus provides ready means for agreement on procedure and on enactment. The governor likewise in many instances provides the legislative leadership. He may sponsor specific legislation, submit administration bills, and through his office, insure their adoption. The legislature itself, by joint committees or by the joint meeting of the committees of the two houses, can and often does reduce the time for committee hearings and irons out the minor controversies so that final enactment is a speedy and formal process. Where solid public interest supports a particular legislative program, the bicameral system accomplishes the expedition of unicameral procedure so that *de facto* unicameralism is achieved.

The unicameralist will still respond that although the bicameral system can achieve the efficiency of the unicameral system its legislative product is still unconsidered, unsupported by reliable data, and

poorly drafted. Often these charges are true, but the question remains whether the creation of a unicameral legislature will improve the product. Improvement can be achieved only through adequate legislative research and competent draftsmanship. These requirements are unaffected by the form of legislative organizational structure.

Within the framework of the bicameral system great improvement has already been made. The active and able research organizations maintained by the Kansas and Illinois Legislative Councils and the code revision commissions of several States have made outstanding contributions to the improvement of the content and form of legislation. The continuation of this improvement will depend, however, not so much on the change of legislative form as it will upon the increase in funds and personnel for those legislative agencies which have already demonstrated their capacity in improving the legislative process.

Legislative costs insignificant

Perhaps the reader will feel that if the unicameral and bicameral systems are so similar in operation, that on the ground of expense alone the unicameral method should be adopted. An analysis of state budgets provides the answer. Legislators' salaries or even legislators' salaries plus the legislative perquisites are so small a proportion of the total state budget that an elimination of fifty per cent of the elected representatives would not change the proportion of state expenditures for the legislative department a single percentage point.

Though generally considered a controversy of form the unicameral-bicameral debate involves a fundamental issue of political philosophy. It raises a question of the flexibility of legislative action in terms of legislative responsibility to the electorate.

The streamlining of deliberation is obviously attractive in a world which places high value upon action. It is not accidental that the democratic influences of the early Greek civilization and the democratic movements of the later 18th and 19th centuries paralleled philosophical movements which found importance in idealism rather than in realism, which placed greater value in contemplation than in action. Conversely the pragmatic and realistic schools of the early 20th century consciously abandoned much of the moral and ethical nature of man for pure mechanism or Watsonian psychology.

The challenge of actionism

In the realm of politics, although the forms remain unchanged, innumerable straws in the wind in-

dicating the effect of a machine age on the thinking and acting habits of the people. Even the bitterness of a political campaign has not produced great editorial writers or outstanding commentators; news print moves to larger type and shorter stories, from word to picture, and from printed word to radio voice. The forum fights an uphill battle to regain the position of the town meeting. Men have become accustomed to delegate tasks to others, to institutions, to machines. They want their answers ready made and so a philosophy of action challenges, in the realm of ethics and politics, the philosophy of deliberation. And it challenges a double-bodied legislature as an extravagance and a monstrosity. Indeed, the philosophies of those we consider not quite respectable challenge even the existence of any legislative or deliberative body. Action is the password. *Blitz* is the fashion.

The usefulness of joint legislative committees and the party caucus have already been elaborated as a means of unicameral action within the framework of the bicameral system. Unicameral action is necessarily the result of single leadership. It occurs in the American legislative scene only when there is a general unification of political and social objectives which have insured a political party a dominant position on the political scene. It seems to me that this is the outstanding advantage of a *de facto* unicameralism—it is not a permanent or fixed way of life for the State and its people. When there is uncertainty and doubt, the additional brakes that a second house of a legislature can provide is both necessary and desirable in order that legislative action does not run ahead of popular acceptance. When popular demand has unified on a particular social program so that whatever opposition develops cannot be described in terms of general uncertainty, machinery is then available in the framework of our present bicameral organization to speed the achievement of the objectives without an application of brakes by the second house. This ability to accelerate or brake the speed of government should not be abandoned quickly for a vehicle built on horsepower and without brakes.

To a great many persons a legislature is a rather remote body "passing laws" by means of some formalized procedures about which they have involuntarily read at some time in the past. In the next selection Richard L. Neuberger, late United States Senator from Oregon and a former member of the Oregon state senate, brings a legislature to life for us with his highly readable first-term impressions of legislators, constituents, and the legislative process.

Nebraska now has had its unicameral legislature for thirty years. The following article underlines that it has met the test of time at home. It points also to renewed interest in unicameralism elsewhere, following adoption of the one-man, one-vote standard of legislative apportionment. If the unicameral idea spreads henceforth, the author concludes, Nebraskans will applaud. Dr. Sittig, who gives us the paper, is Assistant Professor of Political Science at the University of Nebraska.

Unicameralism in Nebraska, 1936-1966



by Robert F. Sittig

IT HAS NOW been thirty years since the unicameral legislature in Nebraska was instituted. By the passage of an initiated constitutional amendment, after a spirited campaign led by United States Senator George W. Norris, the voters in the State abolished its two-house legislature.¹

Thus, Nebraska became the sole State in modern times to adopt the single house arrangement for its state legislature.²

UPDATING THE UNICAMERAL

In the years since 1936 the unicameral has periodically adapted itself to meet the changing legislative needs of the State. In the field of

reapportionment, the original forty-three seats were never altered until 1963, despite repeated efforts by metropolitan interests. At that time the number was increased to forty-nine and the seats were reallocated. The combined population-area formula used in this reapportionment had earlier been approved by the voters, but it failed to satisfy the constitutional standards which were being enunciated by the United States Supreme Court (*Baker v. Carr*, *Reynolds v. Sims*) during the years 1962-64. As a result, a second reapportionment was concluded in 1965, substantially on a population basis. This measure then won the approval of the federal district court.

The salaries of the legislators have been raised from \$1,744 a biennium three decades ago to \$2,400 a year. This puts Nebraska near the middle of the States so far as legislative salaries are concerned.

A recent change in internal procedures has improved the operation of the unicameral. It came after certain legislative members voiced dissatisfaction with the method by which committee assignments were made and committee

¹The amendment passed with a comfortable margin (286,086-193,152). Interestingly, a strikingly new state capitol with two legislative chambers had just been completed, after a decade of construction. The members of the unicameral now meet in the more spacious chamber which had been designed for the lower house; what had been expected to be the upper chamber is utilized for committee hearings and other public affairs. The members, however, have retained the more prestigious title of "Senator."

²For more comprehensive historical surveys consult Adam C. Breckenridge, *One House for Two*, Washington, D.C., Public Affairs Press, 1957; and James C. Olson, *History of Nebraska*, University of Nebraska Press, 1955, Chapter 24.

spread public support for a return to partisan legislative elections. The movement is sparked chiefly by official leaders in the parties. The sitting legislators are, for the most part, unenthusiastic about changing the system. Evidently nonpartisanship carries with it certain advantages, real or imagined, as far as the incumbent legislators are concerned.⁷

The nearest any proposal for reverting to partisan elections has come to being decided by the voters was in 1964, when an initiative drive to have a constitutional amendment placed on the ballot was momentarily successful. However, the Nebraska Supreme Court ruled the proposed amendment off the ballot because of certain irregularities which occurred during the signature collection phase of the petition process. Informed opinion at the time was divided as to the probable outcome of the popular vote, with perhaps most observers predicting defeat for the amendment. The decision of the Court ended the speculation, and no organized effort has since been made to reconsider the question. To summarize, a unicameral system which is nonpartisan evidently is what the people, as well as the legislators, prefer for the Nebraska legislature.

FURTHER SUPPORT

The National Municipal League has been the most influential civic organization to take up the principle of unicameralism and advocate its adoption. The NML has consistently supported the idea in numerous versions of its *Model State Constitution*. In fact, the league may claim a measure of credit for the Nebraska unicameral since its recommendation of the single-house system in the *Model* predates the adoption in Nebraska. Officials of the league give assistance and advice to those seeking information on the subject. The NML reported in 1964 that various influential newspapers—including the *New York Times*, *Kansas City Star*, *Milwaukee Sentinel* and *St. Louis Post-Dispatch*—had carried articles or editorials in

⁷In the 1963 session of the unicameral the Senators voted 34 to 8 against proposing a constitutional amendment which would have allowed the people to vote on the question of returning to partisan legislative elections.

favor of a single house. The league had received inquiries or noted favorable news articles in more than fifteen States.⁸

In the spring of 1966 the American Assembly, a group of eminent public and private civic leaders who gather periodically to study public affairs and report their findings, suggested that States consider the possibility of adopting the unicameral arrangement. However, the nonpartisan feature of the Nebraska unicameral was not acceptable to the Assembly. These influential community leaders implied that a single-house legislature might now be especially suited for smaller States where legislative operations might be burdensome. And they indicated that recent court decisions had removed one of the historical justifications for bicameral legislatures in any State. Thus they felt that the present was an opportune time for States to weigh the possible benefits of adopting the unicameral system.

Perhaps the unicameral device is more appropriate for smaller States, which may have fewer and less intense divisive elements within their borders. But this is a conjecture, difficult either to disprove or verify. In any event it is worth noting that Guam and the Virgin Islands have unicameral legislatures. Virtually all American cities use the unicameral principle in their city councils. The same is true of most Canadian Provinces. Some of the cities determine public policies for millions of diverse constituents and hundreds of opposing interest groups—which indicates that size alone is not an absolute factor in determining the character of legislative institutions.

In Nebraska, the unicameral enjoys overwhelming support from the public, leading newspapers, interest groups and the State's political leaders.⁹ A rehearing on the system in any other interested State undoubtedly would appeal to informed Nebraskans, who find themselves somewhat perplexed because the innovation has not yet spread elsewhere. Perhaps the reapportionment revolution will lead indirectly to a renaissance of unicameralism.

⁸*National Civic Review*, LIII (September, 1964), p. 446.

⁹See Jack W. Rodgers, "One House for 20 Years," *Ibid.*, XXXVI (July, 1957), pp. 338-42.

injudicious to ignore them, since requests have come from sources in more than half of the States for information regarding the operation of the single house.

The inquiring parties receive virtually standard reports from Nebraska political observers and practitioners. Typical replies make it clear that the unicameral has not fully satisfied either its most enthusiastic supporters or its avowed opponents. They indicate, however, that the system has met the test of time and that its future course seems solidly established.⁵ In fact, on one recent occasion it took considerable searching to find a Nebraskan willing and able to speak against the system. After a constitutional convention in another State requested that equal time be filled by a spokesman opposed to the unicameral.

THE NONPARTISAN UNICAMERAL

A reputed drawback of the Nebraska unicameral is the nonpartisan election of its members. It should be emphasized that although the nonpolitical feature of the system was a part of the original reform, there is no compelling reason why these two features should be considered a single package in other States. Each is independent of the other, and each can stand or fall on its relative merits. It just so happened that the Progressive movement of the early 1900's was strongest in the Plains and Western States. One plank in the platform of the Progressives of that era was nonpartisanship. The distaste of many Progressive reformers of the past for political parties, whether Republican or Democratic, is well known. This dislike became translated into action which weakened party lines throughout the Western States. Results are evident even today in the large amount of ticket-splitting which occurs in general elections. It is also evident in the use of the open primary, which deemphasizes formal party affiliation in the making of party nominations in a number of these States.

Nebraska in this sense is typical of the West;

⁵The late Professor Shumate, a longtime advocate of unicameralism, stated that it is now considered to be an accepted part of the political tradition of the State. See Roger Shumate, "The Nebraska Unicameral Legislature," *Western Political Quarterly*, V (September, 1952), pp. 501-12.

its parties often seem to be for the most part personal gatherings temporarily attached to a particular candidate for a single election. The relative weakness, or flexibility, of the political parties remains as a legacy of the Progressive era in Nebraska. In retrospect, it seems logical that when and where the progressive movement was especially successful it would apply the principle of nonpartisanship to state as well as local elections.⁶ The campaign which culminated in the adoption of the unicameral in Nebraska was closely identified with the Progressive movement, and when the question was put to a vote the nonpartisan feature was included.

The Progressive forces have since lost a good deal of their political influence; they are now chiefly working within the confines of the existing political parties in the Western States. But many of their accomplishments have endured, and Nebraska's nonpartisan unicameral is one of them. However, the unicameral approach and nonpartisanship need not be considered a single innovation. In many States it undoubtedly would be futile to advocate a system which included the nonpartisan election of legislators.

Within Nebraska the nonpartisan aspect of the legislature has been attacked more than the unicameral feature. Most Republican leaders and many Democrats have for some time supported efforts to change the state constitution to eliminate the nonpartisan election of legislators. This, if accomplished, would restore the parties to a formal role in the selection process, as was the case in the State's earlier bicameral system. It would not be accurate to assume, however, that there is wide-

⁶Minnesota is the only other State with a nonpartisan legislature. In California, the practice of crossfiling in party primaries, during the time it was allowed, brought a measure of nonpartisanship to its politics. And for a brief span county officials in that State were elected in nonpartisan races. The wide open or "blanket" primary in Washington, which permits voters to participate in both party primaries simultaneously, has had a nonpartisan effect on nominations. These, of course, are all Plains and Western States. For more comprehensive descriptions of their electoral practices, see G. Theodore Mitau, *Politics in Minnesota*, University of Minnesota Press, 1960; Winston W. Crouch, et al., *California Government and Politics*, Prentice-Hall, 1960; and Daniel Ogden and Hugh Bone, *Washington Politics*, New York University Press, 1960.

chairmen selected. The solution that grew out of this largely revolved around giving a greater voice in the selection process to the members from populous Douglas County (Omaha).

In an attempt to bring a greater measure of competence to legislative decision-making, the unicameral now utilizes professional aid and advice in two major policy areas, fiscal matters and higher education; on occasions it has contracted with private experts on a fee basis to do the research involved, and recently it provided its standing budget committee with a permanent professional-clerical staff. These newer services supplement the important activities of the long-established Legislative Council and Statutory Revisor's office. In the regular 1965 session, the members considerably increased the role of the Speaker. In the past this office had been largely honorary; the Lieutenant-Governor is the presiding officer. Henceforth, the Speaker will more than likely function as a floor leader in the unicameral.

These periodic modifications over the years have done much to keep the Nebraska legislature responsive to changing political conditions. Human institutions everywhere require this kind of updating, and the single-house legislative chamber is no exception.

RECENT DEVELOPMENTS ELSEWHERE

Recently, the unicameral system has been receiving renewed interest in a number of States outside Nebraska. This no doubt has been stimulated by the "one-man, one-vote" reapportionment revolution touched off by the federal courts. The new reapportionment standard, which requires that seats in both houses of state legislatures be distributed on a population basis, has eliminated for them the so-called "federal" plan of apportioning one house on a population formula and the other on some combination of population and area. This has had the effect of pushing the unicameral approach up to the forefront as a feasible political institution which States can well consider.

Until this time, only those political reformers who viewed things through rose-colored glasses were confident about the future of unicameralism. In thirty years not a single State

had followed the pathway Nebraska had opened.³ In the last few years, discussion of the unicameral principle has enjoyed a rebirth.

Perhaps the most thorough consideration of the single-house system has come in the States of Rhode Island, Connecticut and New Jersey. Constitutional review conventions in these States have provided arenas for reexamination and possible overhaul of entire political systems. Professional observers from these States and Nebraska exchanged viewpoints and visits. In the end, none adopted unicameralism, although significant support for it existed in all of them. For example, in Rhode Island, Governor John H. Chafee and Former Governor Dennis J. Roberts, (who presided over the convention), along with numerous civic and economic interest groups, were instrumental in having the question considered by the convention delegates. It was ultimately voted down.⁴

ASSESSING THE UNICAMERAL

Nebraska officials, as well as other interested citizens who are associated with or informed about the operation of the unicameral, have received numerous inquiries about it in recent months. The Governor, Lieutenant-Governor and Legislative Clerk have made a number of trips to different States (including Texas, New Jersey and Rhode Island) to explain why they support the system and believe it to be of considerable worth. Their remarks typically include the favorable judgments that the unicameral is open, deliberative, representative, direct and economical. It would be presumptuous to claim that these isolated inquiries and speaking engagements represent "real" movements toward unicameralism. It would also be

³Alaska probably came nearer than any other State to adopting the unicameral system. When the "Empire of the North" was drafting its first constitution, various political advisors suggested adoption of a single-house legislature. This proposal received a favorable hearing in the constitutional convention. Tradition rather than innovation, however, carried the day, and the delegates approved a bicameral body. Some delegates were apprehensive about the reception Congress might give the statehood application if a unicameral system were part of the package. See John Behout, "Charter for the Last Frontier," *National Civic Review*, XXXVI (April, 1956), pp. 158-63.

⁴"Rhode Island Convention Defeat for Unicameralism," *Ibid.*, LV (May, 1966), pp. 263-4.

Drive for Unicameralism Needs National Support

by Lloyd B. Omdahl*

TEN years ago the United States Supreme Court pulled the last of the rational underpinnings from the bicameral legislative system in its *Reynolds v. Sims* edict of one man, one vote. By requiring both houses of state legislatures to use only population as the basis for apportionment, the court deprived advocates of their historical defense of the two-house assembly.

Readily perceiving this, the unicameralists who survived three decades of drought were exuberant. The decision brought new adherents to their cause. Articles appeared in national publications. Prominent newspapers, among them the *St. Louis Post-Dispatch* and the *New York Times*, editorialized in favor of unicameralism.

The *Reynolds* case did more than renew the spirit of unicameralism. It afforded new opportunities for implementation by forcing a number of states to call constitutional conventions to bring state apportionment provisions within Supreme Court guidelines. While some of these conventions were limited to reapportionment, others were not and considered wholesale revision of state constitutions.

Without question, the decade following *Reynolds* appeared to be the golden opportunity for unicameralism. But the decade that opened with glowing optimism closed with another dismal scorecard: no gains made; no victories in sight. It is obviously time for realistic reassessment of the game plan. Why hasn't the unicameral scored new gains? It must be concluded that either the proposal is wanting or the politics of the controversy frustrates adoption.

It is not possible to concede that the unicameral is basically defective in design and therefore not a rational alternative to the two-house system. Extensive research and analysis have demonstrated the viability of the unicameral system. It has worked well in Nebraska. Failure to adopt it cannot be ascribed to lack of merit. The only logical conclusion is that failure emanates from the politics that governs the decision makers who must act to implement unicameralism. We can no longer maintain the pretense that politics is a minor element in securing this reform for state assemblies, and until we come to grips with this fact, no ground will be gained in the next decade either.

It is imperative that unicameralists address this primary fact: adoption of

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the system fails to gain fruition because it challenges the power of state legislators who are the principal initiators of the constitutional revision required to secure its adoption.

Legally, as well as theoretically, legislatures are regarded as the people in session. Consequently, it was probably inevitable that they would be awarded custody of the people's document, the state constitution. As a part of this guardianship, legislatures were given primary responsibility for proposing constitutional amendments for acceptance or rejection by the people. If they perceive no need to amend the constitution they propose no changes. And because legislatures are the only perennially active source of proposals for constitutional amendments in most states they hold a virtual monopoly on revision in those jurisdictions. Without their leave nothing can be done.

Since legislatures are parties to the constitutional issues involving the separation of powers, they are not disinterested representatives of the people on a significant number of issues. Unicameralism is one of those issues. Their guardianship gives them a strategic opportunity for vetoing the unicameral proposal and there is little evidence to suggest that they will achieve any degree of objectivity on that issue.—Their political interests are too crucial.

To substantiate this charge we need only turn to the sordid history of legislative malapportionment that forced federal courts to enter the political thicket in the first place. Before *Reynolds v. Sims* most legislative assemblies were responsible for redrawing districts after each decennial census. Defying their own state constitutions in many cases they refused to reapportion. It was only after decades of stubborn legislative resistance that the federal courts reluctantly acted on this historically political question.

Why didn't state legislatures comply with constitutional directives? After considerable analysis, scholars of government agree that, principles of fairness and equality notwithstanding, internal politics simply paralyzed legislative initiative. Alteration of legislative district boundaries to conform to shifting population patterns would have resulted in losses to certain legislators, power blocs and political parties. The politics of such a task was so overwhelming that, even after *Reynolds*, federal courts were required to review reapportionment plans in every state to see that constitutional principles were implemented.

If the politics of legislative reapportionment inhibited action for decades, then how much more serious the politics involved in legislative adoption of a proposed amendment to state constitutions calling for the abolition of one house? In most states a change of this magnitude surpasses that required for redistricting. By virtue of this intense interest, legislative assemblies are inherently hostile to the unicameral proposal. It is more than a mere passive hostility—it is unrelenting aggression sharpened by the instinct for political survival.

With this antagonism prevailing, most states, for all practical purposes, will never be given the opportunity to consider changing their bicameral legislative systems. In states where legislatures control the flow of con-

stitutional amendments to the people, the only alternative is to wait until a convention is called. Unfortunately, such conventions are infrequent because interest is low and procedures difficult. In most states, legislatures must initiate the procedure by placing a convention call on the ballot. Historically, legislatures have not been enthusiastic about calling these uncontrollable bodies as they tend to meddle with legislative prerogatives. As a result they place the call only with the advent of insurmountable problems or great pressure. (In recent years, several state constitutional conventions wisely seized their opportunity to provide for automatic mechanisms for calling future conventions.)

But even after the people have approved a convention call and delegates have been elected victory for unicameralists is not in sight. Legislators and legislative influences often pervade convention proceedings. By and large, legislator-delegates secure strategic committee appointments and spend much of their time defending existing legislative practices. As the proceedings of conventions attest in state after state, proposals to alter the legislative institution ignite the opposition of legislator-delegates. In the Rhode Island convention which ran from 1964 to 1968 legislator-delegates spent long hours working to keep a unicameral proposal from being submitted to the people even though some observers believed it would have been approved in a public referendum. The North Dakota convention did get a unicameral proposal submitted as an alternate proposal only because a large bloc of delegates felt the people should be given the opportunity to decide the issue even though they themselves did not support it. In Montana, state officeholders were prevented from serving in the convention. With the absence of this interest group the Montana convention was able to get the proposition on the ballot as an optional measure. These are exceptions. By and large, convention experiences throughout the country suggest anything but an easy route for unicameralists.

In all fairness it must be observed that legislators are not unanimous in their opposition to the unicameral system. But generally the opposition is unyielding. In order to elude the legislative roadblock 16 states devised the initiative petition procedure for proposing constitutional amendments. Of the alternatives available to unicameralists this appears to hold the most promise. But it has its pitfalls which must be weighed realistically. The difficulties are directly related to a second major point regarding adoption of the unicameral: because it will not result in particular benefit for any interest group there are very few resources available to secure its adoption.

To unicameralists who have been engaged in the verbal wars over the merits and demerits of their legislative proposal, this second obstacle is ironic. Bicameralists attack the unicameral as conducive to high-pressure lobbying, since fewer legislators would be more accessible to interest groups. If this were true, special interest groups would be leading the parade for a one-house legislature, and pouring money and manpower into the campaign for its adoption. But they are not, which should say something for the system.

The openness of the unicameral system is adverse to the machinations of special interests. Simplifying the system and making the legislators more visible would obviously frustrate the inter-house manipulation that has long been a boon for lobbyists. Because interest groups have nothing to gain and everything to lose under unicameralism, they have no interest in underwriting the cost of securing its adoption. This is true for every phase of the effort, whether it is securing legislative or convention approval, obtaining signatures on initiative petitions, or financing a public information campaign.

Where, then, can resources be obtained? While all citizens would benefit from a change to unicameralism, that gain is not significant enough (in their perception) to warrant monetary contributions or volunteer services. This being the case, unicameralism has been forced to rely on a small band of civic-minded citizens for its sustenance. As a consequence, manpower and money have been available in only limited quantities.

This lack of support has starved the movement. Without money to prepare informational material for citizens, legislators or delegates, and without money to pay minimal lobbying expenses at legislative sessions or conventions, unicameralists have been unable to overcome politically motivated resistance with a full explanation of their proposition. Similarly, this lack of resources has prevented the printing and circulation of petitions to secure the thousands of signatures required to circumvent legislatures and conventions. The most recent attempt at initiating the unicameral proposal in California during the spring of 1974 collapsed when resources dried up.

Even if it were possible to get the proposition on the ballot, the resources would not be available to complete the task. Where it was necessary to finance communications with only a hundred people in the legislature or convention, once the measure is on the ballot it becomes necessary to inform hundreds of thousands of voters. The cost of reaching the electorate with sufficient information is nothing short of staggering. While the media are often willing to provide free time or space for opposing viewpoints as a public service, cash is still needed to make the campaign effective. A typical modern mass media campaign requires thousands of dollars for television, radio and newspaper advertising. Public solicitations for this effort usually cost more than they collect.

The unsuccessful attempts to secure adoption of the unicameral system in North Dakota and Montana are indicative of the problems involved. In North Dakota, attempts to obtain funds through mail solicitations failed. At the same time, strong opposition developed against the proposed constitution, requiring unicameral proponents to divert their efforts toward saving the main document. A parallel situation developed in Montana when the courts deprived the pro-constitution forces of their state educational funds. As a consequence the unicameral proposal was defeated in both states. In North Dakota the vote was 107,643 to 64,073; in Montana it was 122,425 to 95,259. Even though decisive, these two 1972 defeats cannot be considered a unicameral Waterloo. In neither state was the unicameral concept

given full exposure to the people so they could render an informed judgment on the basis of a fair comparison of the two legislative systems. In fact, observers in both states were amazed at the amount of support for unicameralism reflected at the polls.

A course of action must be developed to overcome the political resistance of legislative interests and to provide sufficient resources to inform the electorate of the advantages of unicameralism. The opposition of legislators can be overcome through a continuous educational program conducted by permanent organizations at the state level. An educational program will, hopefully, convince some legislators that the unicameral is in fact a substantial improvement over the two-house, buck-passing system. For those legislators who put political considerations ahead of unicameralism, the educational campaign will serve to create an enlightened citizenry that will demand legislative reform. If enough citizens can be rallied to the cause of unicameralism, their presence in legislative constituencies will force legislators to support reform.

With the recent national scandals the public has begun demanding reforms to assure the people that government is responsive and accountable. State and national legislative bodies have been flooded with corrective proposals, such as full disclosure of financial interests, restrictions on conflicts of interest, and open hearings and meetings. The temper of the time offers a unique opportunity for rallying citizen support for a more accountable, responsive legislative system in state governments. If launched in the near future, unicameralism could well become one of the reforms of this era.

To overcome the chronic shortfall of resources a national pooling of talent and money must be organized to support the unicameral drive in states offering the best opportunities for adoption. Experience has fully demonstrated that the resources of unicameralists are too diffused for any one state to mount an effective campaign. A national organization for the unicameral could draw the resources together from supporters in all states to be applied in effective campaigns in selected states. While it is true that such a system would shift resources away from some states, a new victory in one state at this time could result in a major breakthrough for any number of states. Such a gain would make the investment worthwhile as it would surely result in new interest and support.

Heightened citizen interest and support are the currency that will give unicameralism the political muscle it needs to overcome the political resistance that has waylaid it through the decades. Only through the adoption of deliberate steps to solidify this interest and support will unicameralism be translated from vision to reality in state governments.

Those who prefer the now traditional biennial session demur on most of the above points. They hold that the virtues of the annual session have been greatly exaggerated, that its flaws have not been understood. In the first place, there are already enough laws. Annual sessions inevitably will lead to the persistent advocacy of new legislation and to the adoption of meretricious policies; biennial sessions constitute a safeguard against precipitate and unseemly legislative action. Stability of policy is itself a mark of an orderly and effective legislature. Proponents of the biennial system also argue that yearly meetings of the legislature will contribute to legislative harassment of the administration and its agencies; although an annual session may help to put life back into the legislature, it might be expected to diminish administrative efficiency. The biennial system affords legislators more time to renew relations with constituents, to mend political fences, and to campaign for reelection. The interval between sessions also may be put to good advantage by individual legislators and interim study commissions, since there is never sufficient time during a session to study proposed legislation.

There is, finally, the matter of cost. Annual sessions inevitably lead to a spiraling of legislative costs, for the legislators and other assembly personnel are brought together twice as often. Other costs will become inflated, and perhaps legislative salaries will be increased. Moreover, new programs and new appropriations are likely to result; more expensive government is a natural consequence of annual sessions.

Advocates of annual sessions reject the argument of excessive expense in operating the legislature, pointing out that although state expenditures have climbed rapidly in recent decades, the percentage of legislative costs to the total budget is much smaller today than it was in the past. A study of the period 1927-32 revealed that legislative costs came to less than 1 percent of the total budget; follow-up investigations in 1948 and 1963 have shown a decrease in the proportion of funds allocated to legislative operations.²⁴ Given the magnitude of state government today, this view holds, there is no good reason to hope for economies simply by cutting legislative costs.

Unicameral or Bicameral Legislature?

Familiar and conventional political arrangements, no less than familiar and conventional ideas, have an extraordinary capacity for perpetuating themselves. Such is the case of bicameralism.

COLONIAL EXPERIENCE

The earliest colonial legislatures, developing out of stockholders' meetings, were unicameral in form. Deputies elected by the freemen of the towns and the appointed assistants of the colonial governors sat together in a single house. Conflict between these two groups was doubtless inevitable, leading to plans

²⁴ Belle Zeller, ed., *American State Legislatures* (New York: Thomas Y. Crowell Company, 1954), p. 93; *The New Jersey Legislature* (New Brunswick, N.J.: Rutgers University, Eagleton Institute of Politics, 1963), pp. 52A-53A.

other without amendment, and far more bills are lost in the house of origin than in the second chamber. Finally, it is well to remember that the legislature has numerous other built-in safeguards against hasty and impulsive action—including intricate rules of procedure and an elaborate committee system. And in the background is the governor's veto power.

The other virtues claimed for bicameralism are hardly more impressive. Are lobbyists more powerful in a unicameral than in a bicameral legislature, their "corrupting" influence more pervasive in one house than in two? Although there is no way of proving this point one way or another, we have the argument of one authority, Roger V. Shumate, that lobbyists "will be less influential in a small body in which responsibility of individual members for passing or defeating bills can be more definitely fixed than under a system in which responsibility can be shunted back and forth from one house to the other. . . ."²⁸ On this score, it should also be recognized that, since lobbyists often seek to block legislation rather than to advance it, bicameralism may afford new opportunities for defeating proposals.

The claim concerning the representative value of bicameralism requires a comment or two. At one time, state senators were chosen on a basis different from that of state representatives, with the upper house designed to represent an elite of property owners, the lower house to represent population. With one house "conservative" and the other "radical," a natural check, one upon another, would be present. In point of fact, it has been a long time since this concept held any significance. Today, senators and representatives are selected in the same way in all states. The qualifications for the state senate may differ from those of the house, and the senate term of office is usually longer than the house term, but the voters in all cases are the same. Moreover, the contention is spurious that any legislator today simply represents a district or area; rather he represents a heterogeneous grouping of voters, some of whom have augmented their power by membership in organized groups (including parties) whose constituencies extend far beyond the local legislative district.

The final assertion in support of bicameralism—that it is "American" and traditional while unicameralism is "foreign" and radical—needs little comment. Its fundamental flaw is that it is simply nonsense, plausible only to those who know nothing of colonial political organization or those who believe the Founding Fathers fashioned a political system without benefit of a glance at British or other European experience and theory.

Much of the literature concerned with legislative structure in the states comes down heavily on the side of unicameralism.²⁹ A survey of the case

²⁸ "The Nebraska Unicameral Legislature," *Western Political Quarterly*, V (September 1952), 510.

²⁹ There are a number of books and articles on the issue of bicameralism vs. unicameralism: C. A. Breckenridge, *One House for Two* (Washington: Public Affairs Press, 1958); Daniel B. Carroll, *The Unicameral Legislature in Vermont* (Burlington: University of Vermont Press, 1933); Mona Fletcher, "Bicameralism as Illustrated by the Nineteenth General Assembly of Ohio," *American Political Science Review*, XXXII (February 1939), 80-85; Jack W. Rodgers, "One House for 20 Years," *National Municipal Review*, XLVI (July 1957), 338-42, 347; John P. Senning, *The One-House Legislature* (New York: McGraw-Hill Book Company, Inc., 1957) and "Unicameralism Passes Test," *National Municipal Review*, XXXIII (July 1944), 60-65; Charles W. Shull, *American Experience with Unicameral Legislatures*

56 for this arrangement includes the claims that a single chamber "carries greater prestige...and hence attracts more outstanding and representative citizens," "is able to give more thorough consideration to proposed legislation than two chambers," eliminates "the jealousy, friction, and rivalry between the two houses," "facilitates the development of essential leadership...by concentrating such leadership in one place," "permits closer and more effective relations between the governor and the executive departments and the legislature," "reduces the power of special interest groups," "does away with the need for conference committees," "facilitates public reporting of the work of the legislature," reduces the cost of the legislature, and increases the possibility for fixing responsibility for legislative action.³⁰

Notwithstanding the attractiveness of these assertions, for the most part their validity must be assumed; the "efficiency" of unicameralism, like the "Americanism" of bicameralism, is a difficult item to gauge. A fairly recent attempt to canvass the experience of the Nebraska legislature, for three decades the unicameral model, arrives at these conclusions: it has led to some saving in salary payments for legislators and in general legislative expense, to lengthened legislative sessions, to the introduction of fewer bills but the enactment of substantially more, to a decrease in the number of special sessions, to a more deliberate mode of procedure, and to an increase in the tenure of legislators. No evidence was found that unicameralism leads to the passage of hasty and ill-considered legislation. Whether legislators in the unicameral scheme are superior in talent, intellect, and moral caliber cannot be proved, nor can it be verified that the quality of legislation enacted by the "unicameral" is better than that enacted under the earlier bicameral legislatures. In sum, the unicameral experiment in Nebraska "has not fulfilled either the most optimistic hopes of its friends or the most pessimistic fears of its opponents. On the whole, however, it has given a good account of itself."³¹

Legislative Scheduling: The "Log Jam" in the States

The typical legislature operates at a bewildering pace in the closing days of the session. Few things are more common in the course of legislative affairs, especially in the states, than the last-minute rush to wind up business for another year or another biennium. It is not unusual to find as many as 50 percent of all bills passed during a session receiving final approval in the last week before adjournment.

(Detroit: Bureau of Government Research, 1937); O. Douglas Weeks, *Two Legislative Houses or One?* (Dallas, Texas: Arnold Foundation Studies, 1938); Charles B. Hagan, "The Bicameral Principle in State Legislatures," *Journal of Public Law*, no. 2 (1962), 310-27; Donald Janson, "The House Nebraska Built," *Harper's Magazine*, November 1964, pp. 124-30; Talbot D'Alemberte and Charles C. Fishburne, Jr., "The Unicameral Legislature," *University of Florida Law Review*, XVII (Winter 1964), 355-67; Demitrios M. Moschos and David L. Katsky, "Unicameralism and Bicameralism: History and Tradition," *Boston University Law Review*, XLV (Spring 1965), 259-70.

³⁰ Zeller, *op. cit.*, pp. 57-58.

³¹ Shumate, "The Nebraska Unicameral Legislature," 504-12.

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House Judiciary Committee
January 27, 1975

HJR 1 - Unicameral Legislature

The meeting was called to order at 1:34 by Chairman Gardiner. Members present: Gardiner, Brown, Cotton, Parr, Bradley, and Fink.

Representatives Parker and Bradner, sponsors of HJR 1, gave presentations on the merits of the bill and fielded questions.

Rep. Parker gave a brief history of the bicameral legislature to the time of the "one man, one vote," decision. Since this time state legislators represent the same constituents. He stressed that the unicameral legislature would do away with the free conference committees powers, shorten sessions, and eliminate the unnecessary check within the legislative branch which does not exist in the other two branches of government. In response to a question from Rep. Parr, Rep. Parker explained that although either house can reject the report of a free conference committee, it is rarely done since such committee reports are made in a bunch at the end of the session.

Rep. Fink questioned the time restrictions on passing a bill as contained in HJR 1 as well as the redistricting procedures. He suggested that redistricting be done on the basis of substantial population change instead of every ten years. Perhaps the minimum percentage increase should be stipulated.

Rep. Brown questioned that any of these changes should be made to the Constitution but to the statutes.

Rep. Parker expressed the opinion that rural representatives would be on a more equal footing in a unicameral legislature. He said that the power of committee chairmen would increase due to fewer committees but decrease as a result of loss of "bargaining status." It would force committee members to accept responsibility for their actions. Mr. Fink added that chairman power would depend on the number of referrals given a bill.

Rep. Bradner expressed the following: The situation in Alaska is different from other states due to our streamlined judiciary and powerful executive. A unicameral system would allow the public to fix responsibility, would limit chairmen's power, would eliminate passing the buck to the other house and the guessing game of whether a bill would pass, would be an advantage to rural areas since smaller districts would allow more personal representation, would eliminate personality clique power in the Senate, would lend itself to either single member districts or plurality districts, and would provide stability due to longer terms.

4

House Judiciary Committee
January 27, 1975
page 2

Rep. Brown urged restrictions on the number of days required to pass a bill as a guarantee of civil rights against quick, arbitrary change. Mr. Bradner explained that at present the free conference committee has virtually no restrictions on changing a bill or time constraints. Mr. Brown expressed the hope that there would be some other way of limiting the power of the free conference committee. He suggested that the language "in final form" be added to the bill when stipulating time restrictions. Mr. Bradner explained that at present, bills can be amended on the floor and passed the same day.

The question was raised concerning when reapportionment for such a unicameral body would be done. It was suggested that some time after the expiration of the terms of present legislators but before the construction of the new capitol be considered and stipulated in the bill.

The committee adjourned at 2:40 p.m.

HJR 1 - Unicameral Legislature

Senator John Rader, sponsor of SJR 1, testified that the House and Senate versions are very similar. HJR 1 contains no section on adjournment. He stated that since there is no longer a historical basis for two houses due to the one man, one vote decision, it is merely an "historical accident" that our legislatures have continued to be bicameral. He explained that the bills have been designed so that the transition occurs in 1978, the second session of the 10th Legislature. This would allow for no inexperienced legislators.

Rep. Fink asked if it would perhaps be wise to have the bill go into effect in 1980, after the new capitol building was built. Senator Rader replied that the cost of remodeling the present physical chamber should not be a consideration in voting on the bill. Mr. Fink stated that he was opposed to reapportionment on the basis of registered voters rather than census. Stu Hall of Legislative Affairs stated that although numbers of registered voters have been more accurate than census data, problems still exist.

Senator Rader stated that the body's size - 61 - had been chosen to allow more equal representation to sparsely populated areas.

Rep. Specking brought up the question of the numbers of "displaced" voters as a result of the Pipeline. Senator Rader stated that he was agreeable to either method of apportionment. Rep. Brown mentioned the possibility that this committee amend the bill to allow for apportionment by population.

In response to a question by Rep. Parr, Senator Rader stated that it was better to be able to separate the accuser in an impeachment case from those who tried the case. However, we haven't used the impeachment procedures effectively in the past and the absence of this separation of function under the unicameral system isn't a major problem.

Rep. Brown suggested that the bill be amended to assure adequate time for deliberation. An emergency action would require nearly unanimous consent. Mr. Rader reminded the body of the present powers of free conference to pass what is, in fact, sometimes brand new legislation in a matter of minutes. In a unicameral system reports could be amended on the floor.

Mr. Fink asked about the proposed amendment to state that reapportionment would take place every ten years or "whenever a substantial population change occurs." Senator Rader stated that in drafting the bill they tried to change as little as possible of substance. If the bill passed and was approved by the voters, another amendment on reapportionment could be drawn up later.

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House Judiciary
February 6, 1975
page 2

In response to a question from Rep. Parr, Senator Rader stated that the committee chairman's power would probably be greater under a unicameral system but since there would be more committees, areas of jurisdiction would be more narrow. The whole system would be more open and the number of people with power to stop legislation would be limited. Rep. Specking stated that we need rules changes not a whole new system.

Rep. Gardiner asked the committee how they wanted to handle this piece of legislation. All members present indicated that they wished to pass it out of committee after amended. Rep. Gardiner stated that announcements would be made to the press of a public hearing to be held in about three weeks. In the mean time, amendments would be drawn up and considered.

HB 55 - SB 53

The proposed statement of intent was approved by the committee on a voice vote. Rep. Brown moved and asked unanimous consent that House CS for SB 53 be passed out of committee. There being no objections, the motion passed.

HB 6

Rep. Fink suggested an amendment to change the language to general recklessness or negligence and delete the reference to smoking materials. The committee asked that research be done into the present statutes on negligence. The title too would have to be amended.

House Judiciary Committee
February 20, 1975

HJR 1 Unicameral

The meeting was called to order at 1:40 p.m. by Chairman Gardiner. All members were present.

Senator Terry Miller testified that he had an alternative to the proposed unicameral legislature which he would like to offer to the committee and which he proposes to have drafted. He proposed reapportionment so that House and Senate districts represent different peoples while still in compliance with one man, one vote. He proposed that the Senate be made up of members representing regional socio-economic groups, that they be elected at large and that they fill designated seats. The House would be made up of members from single member districts. If the bicameral system could be further reformed through rules changes, he sees no need to go to a unicameral system.

Senator Joe Orsini endorsed Senator Miller's proposal with the exception of designated seats.

Both senators then answered general committee questions.

House Judiciary Committee
February 28, 1975

The meeting was called to order at 1:40 by Chairman Gardiner. All members were present except Mr. Brown.

HJR 1 Unicameral

Mr. Fink moved in Section 5 that a reapportionment take place in 1979 and that the first unicameral legislature sit in 1981. Mark all the other necessary changes to the section. Amendment 1 passed.

Write in provisions for use of figures updated past 1970 census. Stu Hall will draw up language. Amendment 2 passed.

Mr. Fink moved that reapportionment be done on the basis of population, not registered voters. Make all necessary changes. Amendment 3 passed.

Page 2, line 17 - 29 insert Senate (b) language. Require 3/4 to consider emergency legislation and 2/3 to pass. Amendment 4 passed.

Mr. Gardiner moved that on page 2, line 29 the House language on ability to levy a tax be inserted into the Senate (b) language adopted by Amendment 4. Amendment 5 passed.

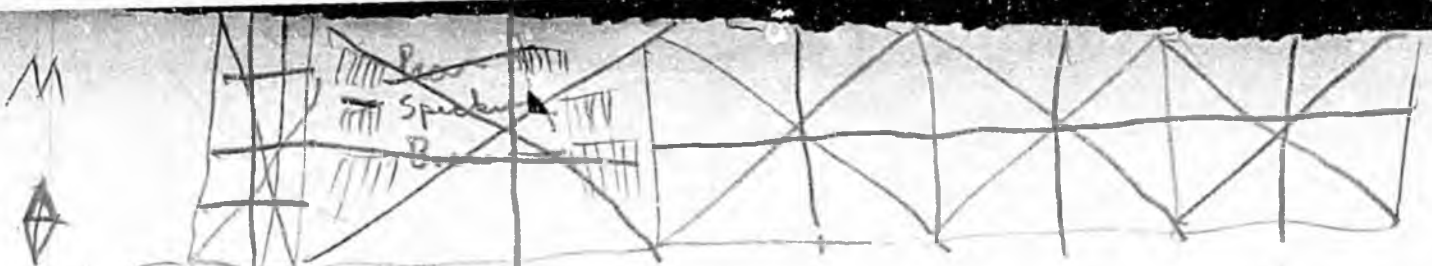
Page 5, lines 5 and 6 There must be a representative from each recognized political party in the state. Amendment 6 passed.

page 3, line 24, Mr. Specking moved that there must be 3/4 vote to convict in impeachment. Amendment 7 passed.

Mr. Cotton moved that it require a majority vote to bring up impeachment. Amendment 8 passed.

Mr. Specking moved that on page 5, line 14: that the redistricting plan of the advisory committee be made public simultaneously with submission. Amendment 9 passed.

Mr. Bradley moved that CS HJR 1 pass out of committee. Mr. Specking objected. On vote, the bill was passed out with a do pass.



John Rader - Unicameral Legis*
leave out STR 1 section on adjournment
like house version

Reapportionment Article VI - should be revised
anyway

effective date of 1980?

Rader - have no strong feeling on
registered voters vs census

? does ratio of registered voters vary
in different areas of the state
ASK elections office

PAAR - unicameralism leaves less
impediment to impeachment
checks Nebraska

Reapportionment every 10 years and when substantial
pop change

looks at Minn. requirements for
bill readings

Proceedings of Const Materials
letter to Legis. council

Jan 27



U HIRI Unicameral
legis.

7 of 13 states were unicameral at time of
drawing federal constitution

page 4 comparison to existing const. language

Tom
Fink

to existing statutes

Stu Hall
has already

New section on 3rd reasons for
reapportionment - subst. population change

Brown include specifics in statutes not const.

Bradner Public fix responsibility



1. would therefore limit chairman + leadership vote
better Rep for rural area - more of leg
more effective Rep.

Paan
Brown
Paan
Bradley

Brown - on 5 day limit
state bill has to mean substantiated same substance

Nebraska has holding committee between 2nd + 3rd.
reading

Fink - because of reapportionment problem
delay till 1980

Problem of cutting Sen. terms

new capitol construction one chamber
or
two

41 32
46 41 1970 1979

1978

1980

///

Coincide with reapportionment

Section 14

79

80

Amend # 1 delay 2 years

Amend # 2 New no. 5 for 1980 reapportion.

$\frac{61}{10}$ Amend # 3 voters to population

Amend # 4 Senate Sec 14 (6)

Amend # 5, or levy a tax.

Amend # 6 Each Major party

Amend # 7 $\frac{1}{2}$ impeachment $\frac{3}{4}$ conviction

Amend # 8 make public plan.

February 5, 1975

Mr. Willaim Lassella
Executive Director
National Municipal League
Carl H. Pforcheimer Bldg.
47 East 68th
New York, New York 10021

Dear Mr. Lassella:

The Alaska State Legislature presently has under consideration a proposal to adopt a unicameral legislative system. Professor Victor Fisher of the University of Alaska has referred me to you as a possible source of information on unicameralism.

I would very much appreciate receiving any information you may have on this subject. Since our legislative session is short, your prompt reply would be appreciated.

Thank you very much.

Sincerely,

Paddy Moriarty
House Judiciary Committee

State of Alaska

OFFICIAL RETURNS

By

Election Precinct

General Election

November 5, 1974



William Egan
GOVERNOR

W.A. Fouché
LIEUTENANT GOVERNOR

STATE OF ALASKA
OFFICIAL RETURNS
BY
ELECTION PRECINCT

GENERAL ELECTION
NOVEMBER 5, 1974

Published By
LIEUTENANT GOVERNOR
Capitol Building Juneau, Alaska

GENERAL ELECTION
November 5, 1974

SOUTHEASTERN

| Election District and Precinct | Number Of Persons Voting | Governor-Lieutenant Governor | | | U. S. Senator | | U. S. Representative | |
|-----------------------------------|--------------------------------|------------------------------|---------------------------|-----------------------------|---------------|--------------|----------------------|--------------|
| | | Egan- Boucher (D) | Hammond- Thomas (R) | Vogler- Peppler (AIP) | Gravel (D) | Lewis (R) | Hensley (D) | Young (R) |
| District 1 | | | | | | | | |
| Cape Pole | 43 | 21 | 21 | 1 | 28 | 12 | 14 | 27 |
| Clover Pass | 120 | 56 | 50 | 10 | 55 | 59 | 49 | 68 |
| Coffman Cove | 34 | 22 | 11 | 0 | 19 | 13 | 14 | 18 |
| Craig | 114 | 49 | 54 | 5 | 63 | 44 | 56 | 51 |
| El Capitan | 29 | 21 | 7 | 0 | 17 | 11 | 12 | 16 |
| Hydaburg | 94 | 68 | 24 | 2 | 78 | 10 | 74 | 16 |
| Hyder (Absentee) | | | | | | | | |
| Ketchikan #1 | 211 | 143 | 49 | 4 | 162 | 32 | 137 | 60 |
| Ketchikan #2 | 288 | 169 | 99 | 5 | 191 | 74 | 147 | 122 |
| Ketchikan #3 | 278 | 140 | 107 | 5 | 141 | 100 | 104 | 146 |
| Ketchikan #4 | 205 | 106 | 89 | 7 | 109 | 89 | 72 | 131 |
| Ketchikan #5 | 193 | 105 | 81 | 6 | 116 | 70 | 76 | 114 |
| Ketchikan #6 | 300 | 155 | 133 | 6 | 155 | 131 | 104 | 191 |
| Ketchikan #7 | 327 | 177 | 133 | 9 | 171 | 134 | 109 | 209 |
| Ketchikan #8 | 357 | 193 | 137 | 13 | 220 | 109 | 144 | 200 |
| Klawock | 69 | 52 | 13 | 3 | 58 | 10 | 49 | 20 |
| Metlakatla | 309 | 225 | 71 | 6 | 254 | 41 | 160 | 141 |
| Mountain Point | 170 | 77 | 69 | 5 | 84 | 72 | 53 | 111 |
| Mud Bay | 236 | 82 | 132 | 14 | 126 | 96 | 83 | 146 |
| Nyers Chuck | 25 | 4 | 14 | 6 | 4 | 20 | 9 | 13 |
| Naukatl | 31 | 7 | 11 | 2 | 17 | 10 | 12 | 18 |
| Pennock-Gravina | 32 | 5 | 16 | 1 | 15 | 16 | 8 | 23 |
| Point Baker | 31 | 10 | 16 | 5 | 26 | 4 | 15 | 16 |
| Saxmun (Revilla) | 223 | 141 | 68 | 10 | 137 | 80 | 100 | 119 |
| Thorne Bay | 110 | 62 | 34 | 10 | 84 | 22 | 39 | 66 |
| Tuxekan | 11 | 8 | 1 | 1 | 6 | 3 | 4 | 6 |
| Twelve Mile Arm (Absentee) | | | | | | | | |
| Wacker | 111 | 52 | 42 | 12 | 46 | 57 | 34 | 69 |
| Ward Cove | 169 | 71 | 91 | 2 | 77 | 79 | 50 | 111 |
| White Pass | 29 | 19 | 10 | 0 | 21 | 8 | 15 | 14 |
| SBTTOTAL | 4149 | 2260 | 1583 | 160 | 2480 | 1406 | 1743 | 2242 |
| Absentee | 463 | 216 | 235 | 6 | 251 | 193 | 195 | 250 |
| Questioned | | 59 | 38 | 7 | 69 | 35 | 50 | 53 |
| DISTRICT 1 TOTALS | 4612 | 2529 | 1856 | 173 | 2800 | 1634 | 1988 | 2545 |
| District 2 | | | | | | | | |
| Angoon | 124 | 99 | 21 | 1 | 105 | 12 | 86 | 41 |
| Fanter Bay (Absentee) | | | | | | | | |
| Gustavus | 49 | 11 | 28 | 5 | 28 | 13 | 22 | 21 |
| Hoonah | 228 | 180 | 35 | 0 | 179 | 36 | 164 | 47 |
| Kake | 142 | 94 | 40 | 1 | 88 | 47 | 74 | 60 |
| Petersburg #1 | 328 | 143 | 174 | 2 | 197 | 120 | 97 | 222 |
| Petersburg #2 | 264 | 180 | 71 | 7 | 174 | 71 | 98 | 154 |
| Rowan Bay | 40 | 19 | 11 | 7 | 16 | 22 | 17 | 20 |
| Scow Bay | 106 | 49 | 45 | 5 | 50 | 44 | 35 | 60 |
| Sikine | 226 | 98 | 93 | 20 | 122 | 88 | 87 | 124 |
| Tenakee Springs | 45 | 34 | 7 | 1 | 28 | 12 | 24 | 17 |
| Wrangell #1 | 180 | 95 | 76 | 4 | 101 | 71 | 68 | 105 |
| Wrangell #2 | 227 | 120 | 92 | 2 | 135 | 78 | 90 | 121 |
| Zarembo (Absentee) | | | | | | | | |
| SBTTOTAL | 1959 | 1127 | 693 | 55 | 1219 | 614 | 861 | 982 |
| Absentee | 254 | 122 | 120 | 3 | 138 | 100 | 108 | 133 |
| Questioned | | 29 | 15 | 3 | 24 | 21 | 22 | 25 |
| DISTRICT 2 TOTALS | 2213 | 1278 | 828 | 61 | 1381 | 735 | 991 | 1140 |

SOUTHEASTERN

| Election District and Precinct | Number Of Persons Voting | Governor-Lieutenant Governor | | | U. S. Senator | | U. S. Representative | |
|-----------------------------------|--------------------------------|------------------------------|---------------------------|-----------------------------|---------------|--------------|----------------------|--------------|
| | | Egan- Boucher (D) | Hammond- Thomas (R) | Vogler- Peppler (ATP) | Gravel (D) | Lewis (R) | Hensley (D) | Young (R) |
| District 3 | | | | | | | | |
| Elfin Cove | 22 | 4 | 14 | 3 | 9 | 10 | 8 | 12 |
| Halbut Point | 401 | 212 | 173 | 4 | 263 | 107 | 141 | 242 |
| Jamestown Bay | 255 | 91 | 155 | 5 | 150 | 88 | 103 | 142 |
| Listanski (Pelican) | 70 | 33 | 30 | 4 | 40 | 20 | 32 | 30 |
| Mt. Edgecumbe | 240 | 137 | 86 | 3 | 166 | 51 | 136 | 88 |
| Port Alexander | 19 | 6 | 9 | 4 | 12 | 7 | 8 | 11 |
| Rodman Bay | 32 | 21 | 10 | 0 | 25 | 6 | 23 | 7 |
| Sitka #1 | 204 | 122 | 76 | 1 | 153 | 41 | 111 | 78 |
| Sitka #2 | 381 | 183 | 189 | 7 | 248 | 114 | 164 | 201 |
| Sitka #3 | 379 | 197 | 163 | 5 | 226 | 118 | 168 | 195 |
| Sitka #4 | 290 | 173 | 108 | 0 | 183 | 79 | 105 | 171 |
| Yakutat | 95 | 64 | 23 | 2 | 68 | 19 | 71 | 19 |
| Yakutat Airport | 53 | 25 | 27 | 1 | 13 | 40 | 10 | 42 |
| SUBTOTAL | 2441 | 1268 | 1063 | 34 | 1556 | 700 | 1080 | 1238 |
| Absentee | 258 | 109 | 141 | 3 | 145 | 95 | 121 | 127 |
| Questioned | | 33 | 28 | 0 | 51 | 7 | 32 | 27 |
| DISTRICT 3 TOTALS | 2699 | 1410 | 1232 | 37 | 1752 | 802 | 1233 | 1392 |
| District 4 | | | | | | | | |
| Anke Bay | 569 | 242 | 290 | 18 | 266 | 259 | 214 | 314 |
| Chilkot | 66 | 43 | 20 | 2 | 34 | 24 | 28 | 37 |
| Douglas #1 | 274 | 138 | 120 | 7 | 135 | 109 | 107 | 156 |
| Douglas #2 | 266 | 151 | 105 | 3 | 166 | 84 | 124 | 132 |
| Haines | 216 | 121 | 65 | 15 | 105 | 91 | 71 | 129 |
| Juneau #1 | 224 | 167 | 41 | 2 | 171 | 34 | 154 | 51 |
| Juneau #2 | 295 | 174 | 107 | 3 | 198 | 70 | 167 | 120 |
| Juneau #3 | 276 | 159 | 92 | 7 | 172 | 78 | 129 | 131 |
| Juneau #4 | 299 | 173 | 103 | 3 | 291 | 71 | 162 | 111 |
| Juneau #5 | 207 | 143 | 37 | 5 | 138 | 43 | 102 | 82 |
| Juneau #6 | 285 | 170 | 103 | 4 | 181 | 82 | 137 | 134 |
| Juneau #7 | 385 | 220 | 142 | 10 | 198 | 153 | 160 | 211 |
| Juneau #8 | 331 | 219 | 97 | 5 | 219 | 97 | 187 | 135 |
| Juneau Airport | 432 | 230 | 170 | 5 | 222 | 159 | 163 | 245 |
| Klukwan | 67 | 50 | 3 | 11 | 42 | 20 | 40 | 22 |
| Lemon Creek | 630 | 367 | 235 | 10 | 348 | 241 | 270 | 342 |
| Lower Mendenhall | 500 | 260 | 199 | 14 | 262 | 189 | 197 | 274 |
| Lynn Canal | 227 | 90 | 130 | | 113 | 99 | 95 | 125 |
| North Douglas | 257 | 135 | 108 | | 157 | 85 | 124 | 126 |
| Port Chilkoot | 119 | 61 | 46 | 7 | 65 | 43 | 40 | 72 |
| Salmon Creek | 144 | 79 | 53 | 5 | 68 | 65 | 52 | 84 |
| Sheep Creek | 52 | 19 | 31 | 1 | 28 | 18 | 23 | 27 |
| Skagway | 267 | 181 | 79 | 5 | 169 | 88 | 107 | 155 |
| Upper Mendenhall | 676 | 368 | 283 | 10 | 346 | 280 | 261 | 399 |
| SUBTOTAL | 7064 | 3960 | 2659 | 158 | 3994 | 2490 | 1114 | 1634 |
| Absentee | 988 | 511 | 432 | 16 | 531 | 386 | 465 | 484 |
| Questioned | | 98 | 82 | 4 | 125 | 59 | 114 | 73 |
| DISTRICT 4 TOTALS | 8052 | 4569 | 3173 | 178 | 4650 | 2935 | 1693 | 4191 |

SOUTHCENTRAL

| Election District and Precinct | Number Of Persons Voting | Governor-Lieutenant Governor | | | U. S. Senator | | U. S. Representative | |
|-----------------------------------|--------------------------------|------------------------------|---------------------------|-----------------------------|---------------|--------------|----------------------|--------------|
| | | Egan- Boucher (D) | Hammond- Thomas (R) | Vogler- Peppier (AIP) | Gravel (D) | Lewis (R) | Hensley (D) | Young (R) |
| District 5 | | | | | | | | |
| Bear Creek | 134 | 56 | 68 | 7 | 80 | 45 | 63 | 69 |
| Cooper Landing | 74 | 23 | 39 | 6 | 31 | 36 | 26 | 44 |
| Copper Center | 78 | 54 | 20 | 1 | 44 | 26 | 40 | 33 |
| Cordova | 503 | 280 | 213 | 4 | 245 | 223 | 199 | 292 |
| Eynk | 75 | 30 | 33 | 0 | 32 | 28 | 21 | 43 |
| Glennallen | 269 | 82 | 136 | 24 | 66 | 178 | 53 | 187 |
| Hope | 39 | 7 | 28 | 2 | 14 | 23 | 14 | 23 |
| Kenny Lake | 107 | 25 | 44 | 20 | 31 | 55 | 33 | 56 |
| Moose Pass | 77 | 23 | 48 | 5 | 24 | 46 | 22 | 54 |
| Seward #1 | 216 | 121 | 82 | 6 | 129 | 68 | 96 | 109 |
| Seward #2 | 296 | 136 | 142 | 12 | 172 | 94 | 101 | 187 |
| Tuttlek | 12 | 4 | 5 | 1 | 8 | 2 | 5 | 5 |
| Valdez | 616 | 336 | 154 | 17 | 304 | 193 | 212 | 294 |
| Whittier | 54 | 30 | 17 | 4 | 35 | 17 | 20 | 32 |
| SUBTOTAL | 2550 | 1207 | 1029 | 109 | 1215 | 1034 | 905 | 1428 |
| Absentee | 325 | 134 | 153 | 17 | 153 | 150 | 125 | 178 |
| Questioned | | 90 | 58 | 9 | 107 | 55 | 89 | 74 |
| DISTRICT 5 TOTALS | 2875 | 1431 | 1240 | 135 | 1475 | 1239 | 1119 | 1680 |
| District 6 | | | | | | | | |
| Big Lake | 148 | 59 | 64 | 12 | 60 | 76 | 48 | 92 |
| Butte | 485 | 162 | 242 | 46 | 169 | 255 | 130 | 322 |
| Eska Sutton | 87 | 49 | 30 | 6 | 50 | 35 | 44 | 41 |
| Houston | 75 | 31 | 29 | 15 | 43 | 30 | 30 | 44 |
| Matanuska | 687 | 256 | 308 | 58 | 234 | 357 | 172 | 449 |
| Palmer | 498 | 224 | 223 | 30 | 224 | 233 | 149 | 331 |
| Sheep Mountain | 52 | 11 | 34 | 5 | 11 | 18 | 15 | 34 |
| Susitna | 114 | 30 | 54 | 19 | 52 | 50 | 38 | 68 |
| Talkeetna | 126 | 22 | 90 | 12 | 63 | 55 | 41 | 79 |
| Wentz | 667 | 256 | 310 | 65 | 301 | 311 | 286 | 343 |
| Willow | 144 | 45 | 84 | 15 | 60 | 81 | 45 | 93 |
| SUBTOTAL | 3083 | 1145 | 1468 | 286 | 1267 | 1521 | 998 | 1896 |
| Absentee | 368 | 145 | 194 | 15 | 155 | 170 | 132 | 212 |
| Questioned | | 37 | 60 | 10 | 41 | 63 | 39 | 70 |
| DISTRICT 6 TOTALS | 3451 | 1327 | 1722 | 304 | 1463 | 1754 | 1169 | 2178 |
| District 7 | | | | | | | | |
| Anchorage #4 | 350 | 154 | 147 | 24 | 185 | 141 | 151 | 184 |
| Anchorage #6 | 500 | 235 | 205 | 16 | 252 | 212 | 203 | 262 |
| Anchorage #9 | 303 | 129 | 144 | 9 | 156 | 129 | 131 | 155 |
| Anchorage #11 | 411 | 169 | 187 | 18 | 201 | 160 | 184 | 207 |
| Anchorage #12 | 619 | 265 | 235 | 25 | 320 | 227 | 277 | 298 |
| Anchorage #13 | 429 | 211 | 162 | 20 | 269 | 121 | 219 | 182 |
| Anchorage #14 | 457 | 253 | 149 | 15 | 275 | 138 | 237 | 187 |
| Anchorage #15 | 327 | 150 | 107 | 9 | 185 | 100 | 182 | 107 |
| Anchorage #16 | 305 | 130 | 116 | 21 | 149 | 137 | 115 | 180 |
| Anchorage #17 | 317 | 134 | 137 | 9 | 184 | 115 | 163 | 145 |
| Anchorage #19 | 410 | 209 | 123 | 17 | 243 | 107 | 209 | 142 |
| Anchorage #20 | 283 | 154 | 87 | 13 | 209 | 50 | 192 | 65 |
| Anchorage #21 | 294 | 122 | 107 | 10 | 172 | 87 | 150 | 112 |
| Anchorage #25 | 463 | 165 | 228 | 20 | 207 | 227 | 196 | 247 |
| Anchorage #30 | 406 | 178 | 140 | 16 | 221 | 146 | 181 | 197 |
| SUBTOTAL | 5874 | 2658 | 2274 | 242 | 3228 | 2097 | 2790 | 2665 |
| Absentee and Questioned | 477 | 469 | 464 | 41 | 397 | 280 | 361 | 336 |
| DISTRICT 7 TOTALS | 6351 | 3127 | 2738 | 283 | 3625 | 2377 | 3151 | 3001 |

SOU1HCENTRAL

| Election District and Precinct | Number Of Persons Voting | Governor-Lieutenant Governor | | | U. S. Senator | | U. S. Representative | |
|-----------------------------------|--------------------------------|------------------------------|---------------------------|-----------------------------|---------------|--------------|----------------------|--------------|
| | | Egan- Boucher (D) | Hammond- Thomas (R) | Vogler- Peppler (AIP) | Gravel (D) | Lewis (R) | Hensley (D) | Young (R) |
| <u>District 8</u> | | | | | | | | |
| Anchorage #27 | 495 | 228 | 169 | 23 | 290 | 133 | 265 | 181 |
| Anchorage #28 | 485 | 233 | 166 | 29 | 279 | 161 | 239 | 206 |
| Anchorage #29 | 457 | 207 | 207 | 22 | 242 | 185 | 195 | 243 |
| Anchorage #31 | 216 | 80 | 102 | 15 | 101 | 89 | 77 | 121 |
| Anchorage #34 | 237 | 96 | 109 | 7 | 121 | 99 | 86 | 135 |
| Gr Anch Boro #139 | 498 | 224 | 211 | 26 | 275 | 177 | 239 | 234 |
| Gr Anch Boro #142 | 528 | 243 | 209 | 36 | 281 | 209 | 193 | 310 |
| Gr Anch Boro #143 | 496 | 203 | 225 | 39 | 236 | 220 | 201 | 271 |
| Gr Anch Boro #144 | 593 | 229 | 286 | 47 | 253 | 301 | 226 | 344 |
| Gr Anch Boro #147 | 667 | 220 | 339 | 43 | 250 | 309 | 256 | 367 |
| Gr Anch Boro #148 | 669 | 242 | 306 | 50 | 276 | 321 | 230 | 373 |
| Gr Anch Boro #149 | 376 | 141 | 176 | 21 | 150 | 188 | 126 | 211 |
| Gr Anch Boro #150 | 444 | 176 | 186 | 30 | 204 | 195 | 162 | 253 |
| Gr Anch Boro #151 | 304 | 125 | 124 | 28 | 135 | 134 | 97 | 181 |
| SUBTOTAL | 6465 | 2647 | 2815 | 416 | 3133 | 2721 | 2592 | 3430 |
| Absentee and Questioned | 330 | 285 | 418 | 52 | 289 | 262 | 266 | 304 |
| DISTRICT 8 TOTALS | <u>6795</u> | <u>2932</u> | <u>3233</u> | <u>468</u> | <u>3422</u> | <u>2983</u> | <u>2858</u> | <u>3734</u> |
| <u>District 9</u> | | | | | | | | |
| Anchorage #3A | 226 | 84 | 82 | 11 | 122 | 78 | 109 | 100 |
| Gr Anch Boro #101 | 390 | 153 | 199 | 12 | 190 | 172 | 180 | 188 |
| Gr Anch Boro #102 | 487 | 224 | 208 | 14 | 253 | 199 | 212 | 252 |
| Gr Anch Boro #103 | 431 | 198 | 176 | 33 | 230 | 175 | 206 | 212 |
| Gr Anch Boro #104 | 146 | 66 | 57 | 12 | 77 | 52 | 64 | 70 |
| Gr Anch Boro #105 | 285 | 156 | 106 | 8 | 187 | 89 | 137 | 136 |
| Gr Anch Boro #106 | 197 | 108 | 67 | 7 | 123 | 60 | 103 | 83 |
| Gr Anch Boro #107 | 500 | 219 | 164 | 12 | 274 | 188 | 223 | 254 |
| Gr Anch Boro #108 | 253 | 95 | 127 | 10 | 134 | 94 | 111 | 122 |
| Gr Anch Boro #109 | 423 | 177 | 185 | 27 | 212 | 169 | 189 | 204 |
| Gr Anch Boro #110 | 606 | 257 | 250 | 48 | 285 | 266 | 229 | 341 |
| SUBTOTAL | 3944 | 1737 | 1621 | 194 | 2087 | 1542 | 1763 | 1962 |
| Absentee and Questioned | 182 | 138 | 157 | 15 | 183 | 129 | 180 | 137 |
| DISTRICT 9 TOTALS | <u>4126</u> | <u>1875</u> | <u>1778</u> | <u>209</u> | <u>2270</u> | <u>1671</u> | <u>1943</u> | <u>2099</u> |
| <u>District 10</u> | | | | | | | | |
| Anchorage #12A | 342 | 154 | 156 | 8 | 145 | 180 | 119 | 211 |
| Anchorage #22 | 556 | 240 | 241 | 27 | 226 | 299 | 188 | 351 |
| Anchorage #22A | 762 | 329 | 372 | 36 | 241 | 487 | 197 | 548 |
| Anchorage #23 | 485 | 176 | 199 | 21 | 280 | 165 | 225 | 237 |
| Anchorage #24 | 545 | 222 | 245 | 23 | 243 | 256 | 214 | 295 |
| Anchorage #32 | 881 | 304 | 472 | 29 | 156 | 463 | 251 | 602 |
| Anchorage #33 | 728 | 249 | 390 | 33 | 327 | 342 | 256 | 434 |
| Gr Anch Boro #135 | 456 | 178 | 226 | 15 | 193 | 223 | 163 | 264 |
| Gr Anch Boro #137 | 291 | 109 | 146 | 20 | 138 | 134 | 124 | 158 |
| Gr Anch Boro #138 | 636 | 261 | 312 | 29 | 276 | 316 | 199 | 419 |
| Gr Anch Boro #139A | 325 | 119 | 138 | 25 | 146 | 140 | 137 | 154 |
| Gr Anch Boro #140 | 426 | 149 | 241 | 11 | 165 | 230 | 147 | 263 |
| Gr Anch Boro #141 | 778 | 308 | 389 | 38 | 309 | 405 | 251 | 497 |
| Gr Anch Boro #145 | 244 | 108 | 98 | 15 | 134 | 93 | 93 | 140 |
| SUBTOTAL | 7455 | 2906 | 3625 | 330 | 3179 | 3733 | 2564 | 4573 |
| Absentee and Questioned | 425 | 322 | 492 | 41 | 270 | 327 | 238 | 380 |
| DISTRICT 10 TOTALS | <u>7880</u> | <u>3228</u> | <u>4117</u> | <u>371</u> | <u>3449</u> | <u>4060</u> | <u>2802</u> | <u>4953</u> |

SOUTHCENTRAL

| Election District and Precinct | Number Of Persons Voting | Governor-Lieutenant Governor | | | U. S. Senator | | U. S. Representative | |
|-----------------------------------|--------------------------------|------------------------------|---------------------------|----------------------------|---------------|--------------|----------------------|--------------|
| | | Egan- Boucher (D) | Hammond- Thomas (R) | Vogler- Pepler (AIP) | Gravel (D) | Lewis (R) | Hensley (D) | Young (R) |
| District 11 | | | | | | | | |
| Gr Anch Boro #117 | 325 | 111 | 149 | 17 | 158 | 146 | 136 | 175 |
| Gr Anch Boro #118 | 706 | 310 | 291 | 40 | 330 | 316 | 283 | 385 |
| Gr Anch Boro #122 | 670 | 251 | 315 | 36 | 300 | 317 | 246 | 382 |
| Gr Anch Boro #123 | 436 | 192 | 184 | 18 | 212 | 185 | 186 | 215 |
| Gr Anch Boro #125 | 100 | 34 | 45 | 16 | 68 | 25 | 67 | 29 |
| Gr Anch Boro #126 | 137 | 32 | 64 | 10 | 88 | 31 | 83 | 38 |
| Gr Anch Boro #127 | 429 | 140 | 234 | 30 | 163 | 241 | 155 | 252 |
| Gr Anch Boro #128 | 678 | 252 | 319 | 45 | 284 | 320 | 232 | 391 |
| Gr Anch Boro #129 | 1025 | 347 | 579 | 49 | 414 | 526 | 384 | 589 |
| Gr Anch Boro #130 | 408 | 130 | 22 | 27 | 149 | 221 | 152 | 238 |
| Gr Anch Boro #131 | 646 | 224 | 367 | 30 | 255 | 365 | 260 | 378 |
| Gr Anch Boro #132 | 623 | 242 | 205 | 52 | 304 | 262 | 246 | 329 |
| Gr Anch Boro #134 | 762 | 341 | 349 | 23 | 356 | 351 | 284 | 453 |
| Gr Anch Boro #136 | 548 | 247 | 220 | 39 | 292 | 225 | 265 | 262 |
| SUBTOTAL | 7493 | 2859 | 3503 | 432 | 3373 | 3524 | 2978 | 4116 |
| Absentee and Questioned | 393 | 396 | 519 | 68 | 350 | 303 | 296 | 383 |
| DISTRICT 11 TOTALS | 7886 | 3255 | 4022 | 500 | 3723 | 3827 | 3274 | 4499 |
| District 12 | | | | | | | | |
| Anchorage #1 | 590 | 218 | 313 | 22 | 224 | 319 | 183 | 394 |
| Anchorage #2 | 550 | 216 | 274 | 18 | 197 | 315 | 159 | 378 |
| Anchorage #3 | 404 | 203 | 168 | 19 | 146 | 235 | 124 | 209 |
| Anchorage #5 | 762 | 313 | 380 | 20 | 310 | 395 | 288 | 443 |
| Anchorage #7 | 295 | 125 | 116 | 5 | 143 | 116 | 114 | 149 |
| Gr Anch Boro #111 | 508 | 201 | 249 | 26 | 203 | 291 | 176 | 339 |
| Gr Anch Boro #113 | 679 | 211 | 294 | 35 | 278 | 352 | 212 | 443 |
| Gr Anch Boro #114 | 384 | 162 | 172 | 26 | 181 | 172 | 147 | 221 |
| Gr Anch Boro #116 | 669 | 295 | 284 | 33 | 308 | 289 | 272 | 362 |
| Gr Anch Boro #119 | 969 | 323 | 528 | 53 | 396 | 501 | 315 | 619 |
| Gr Anch Boro #120 | 420 | 126 | 223 | 20 | 171 | 215 | 128 | 267 |
| Gr Anch Boro #121 | 1046 | 394 | 509 | 42 | 416 | 516 | 335 | 634 |
| SUBTOTAL | 7276 | 2787 | 3510 | 319 | 2973 | 3716 | 2453 | 4518 |
| Absentee and Questioned | 466 | 252 | 371 | 17 | 267 | 329 | 253 | 366 |
| DISTRICT 12 TOTALS | 7742 | 3039 | 3881 | 336 | 3240 | 4045 | 2706 | 4884 |
| District 13 | | | | | | | | |
| Anchor Point | 201 | 44 | 127 | 13 | 63 | 120 | 45 | 141 |
| Diamond Ridge | 41 | 16 | 23 | 1 | 23 | 18 | 21 | 20 |
| English Bay | 32 | 28 | 4 | 0 | 29 | 3 | 27 | 5 |
| Fritz Creek | 199 | 51 | 119 | 12 | 78 | 102 | 52 | 130 |
| Hulbut Cove (Absentee) | | | | | | | | |
| Homer | 525 | 108 | 352 | 17 | 200 | 257 | 173 | 303 |
| Kalifornsky | 280 | 90 | 166 | 19 | 124 | 141 | 120 | 155 |
| Kenai #1 | 433 | 164 | 235 | 23 | 190 | 213 | 184 | 239 |
| Kenai #2 | 429 | 140 | 239 | 25 | 208 | 192 | 158 | 248 |
| Kenai #3 | 199 | 87 | 94 | 5 | 97 | 89 | 75 | 116 |
| Nikolski #1 | 221 | 69 | 122 | 12 | 99 | 112 | 72 | 133 |
| Nikolski #2 | 424 | 143 | 235 | 20 | 203 | 198 | 153 | 247 |
| Nunlehtik | 122 | 41 | 80 | 1 | 62 | 57 | 51 | 69 |
| Port Graham | 51 | 35 | 8 | 3 | 47 | 0 | 32 | 15 |
| Ridgeway | 117 | 24 | 173 | 14 | 127 | 165 | 112 | 188 |
| Seldovia | 120 | 47 | 66 | 6 | 71 | 46 | 48 | 69 |
| Soldotna | 446 | 172 | 238 | 16 | 208 | 213 | 178 | 253 |
| Sterling | 247 | 60 | 156 | 23 | 80 | 144 | 92 | 148 |
| Tustumena | 231 | 64 | 138 | 14 | 106 | 103 | 125 | 93 |
| Tyonek | 52 | 35 | 16 | 1 | 46 | 5 | 43 | 9 |
| SUBTOTAL | 4570 | 1508 | 2591 | 225 | 2051 | 2178 | 1761 | 2581 |
| Absentee | 496 | 135 | 325 | 21 | 190 | 282 | 201 | 277 |
| Questioned | | 57 | 91 | 8 | 92 | 27 | 77 | 81 |
| DISTRICT 13 TOTALS | 5066 | 1700 | 3007 | 254 | 2333 | 2487 | 2039 | 2939 |

SOUTHCENTRAL

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Governor-Lieutenant Governor</u> | | | <u>U. S. Senator</u> | | <u>U. S. Representative</u> | |
|---|---|-------------------------------------|------------------------------------|--------------------------------------|-----------------------|----------------------|-----------------------------|----------------------|
| | | <u>Egan- Boucher (D)</u> | <u>Hammond- Thomas (R)</u> | <u>Vogler- Peppler (AIP)</u> | <u>Gravel (D)</u> | <u>Lewis (R)</u> | <u>Hensley (D)</u> | <u>Young (R)</u> |
| <u>District 14</u> | | | | | | | | |
| Cape Chiniak | 70 | 26 | 40 | 3 | 36 | 31 | 22 | 46 |
| Coast Guard Base | 93 | 34 | 52 | 2 | 36 | 49 | 39 | 48 |
| Kodiak #1 | 293 | 150 | 130 | 2 | 166 | 112 | 118 | 158 |
| Kodiak #2 | 300 | 155 | 128 | 2 | 179 | 93 | 131 | 153 |
| Kodiak #3 | 322 | 121 | 185 | 2 | 174 | 125 | 113 | 185 |
| Mission Road | 374 | 125 | 220 | 5 | 206 | 139 | 136 | 208 |
| Ouzinkie | 60 | 51 | 5 | 3 | 56 | 2 | 49 | 10 |
| SUBTOTAL | 1512 | 662 | 760 | 19 | 853 | 551 | 608 | 808 |
| Absentee | 152 | 53 | 87 | 5 | 94 | 49 | 72 | 70 |
| Questioned | | 15 | 29 | 0 | 26 | 18 | 16 | 27 |
| DISTRICT 14 TOTALS | 1664 | 730 | 876 | 24 | 973 | 618 | 696 | 905 |
| <u>District 15</u> | | | | | | | | |
| Adak | 94 | 26 | 52 | 5 | 48 | 30 | 27 | 56 |
| Akutan | 35 | 28 | 7 | 0 | 28 | 7 | 28 | 7 |
| Alitak | 20 | 16 | 4 | 0 | 19 | 1 | 15 | 5 |
| Atka | 15 | 13 | 2 | 0 | 15 | 0 | 6 | 9 |
| Belkofski (Absentee) | | | | | | | | |
| Chignik | 23 | 8 | 13 | 1 | 19 | 3 | 11 | 12 |
| Chignik Lagoon (Absentee) | | | | | | | | |
| Chignik Lake | 35 | 15 | 16 | 1 | 31 | 1 | 10 | 22 |
| Cold Bay | 59 | 22 | 29 | 4 | 19 | 35 | 22 | 31 |
| False Pass (Absentee) | | | | | | | | |
| Ivanof Bay | 10 | 2 | 6 | 0 | 7 | 1 | 4 | 4 |
| Karluk | 33 | 29 | 1 | 3 | 32 | 1 | 28 | 5 |
| King Cove | 66 | 40 | 18 | 5 | 47 | 19 | 32 | 33 |
| Larsen Bay | 34 | 26 | 5 | 2 | 26 | 7 | 20 | 12 |
| Nelson Lagoon (Absentee) | | | | | | | | |
| Nikolski | 27 | 23 | 3 | 1 | 25 | 2 | 20 | 6 |
| Old Harbor | 61 | 45 | 15 | 1 | 52 | 9 | 32 | 29 |
| Pauloff Harbor (Abandoned) | | | | | | | | |
| Perryville | 44 | 28 | 16 | 0 | 41 | 3 | 36 | 8 |
| Port Lions | 63 | 44 | 18 | 0 | 52 | 10 | 33 | 30 |
| Sand Point | 128 | 103 | 17 | 3 | 103 | 17 | 45 | 73 |
| Squaw Harbor | 18 | 11 | 5 | 1 | 13 | 3 | 5 | 9 |
| St. George | 47 | 19 | 21 | 5 | 38 | 9 | 24 | 23 |
| St. Paul | 122 | 99 | 13 | 4 | 110 | 7 | 63 | 54 |
| Uganik Bay (Unreported) | | | | | | | | |
| Unalaska | 86 | 36 | 41 | 2 | 59 | 20 | 42 | 41 |
| SUBTOTAL | 1020 | 633 | 302 | 30 | 784 | 185 | 503 | 469 |
| Absentee | 95 | 45 | 35 | 8 | 76 | 17 | 63 | 28 |
| Questioned | | 13 | 14 | 1 | 18 | 8 | 14 | 14 |
| DISTRICT 15 TOTALS | 1115 | 691 | 351 | 47 | 778 | 210 | 580 | 511 |

CENTRAL

| Election District and Precinct | Number Of Persons Voting | Governor-Lieutenant Governor | | | U. S. Senator | | U. S. Representative | |
|-----------------------------------|--------------------------------|------------------------------|---------------------------|----------------------------|---------------|--------------|----------------------|--------------|
| | | Egan- Boucher (D) | Hammond- Thomas (R) | Vogler- Pepler (ATP) | Gravel (D) | Lewis (R) | Hensley (D) | Young (R) |
| <u>District 16</u> | | | | | | | | |
| Aleknugik | 46 | 30 | 16 | 4 | 32 | 6 | 25 | 14 |
| Clark's Point | 34 | 23 | 10 | Ø | 33 | 1 | 28 | 6 |
| Dillingham | 354 | 166 | 130 | 4 | 225 | 76 | 192 | 110 |
| Egegik | 37 | 7 | 25 | Ø | 22 | 12 | 19 | 16 |
| Ekwok | 40 | 21 | 18 | Ø | 34 | 5 | 29 | 10 |
| Goodnews | 35 | 32 | 3 | Ø | 32 | 3 | 20 | 15 |
| Hiamna (New Hulen) | 63 | 6 | 46 | 3 | 25 | 29 | 33 | 21 |
| Kukhonak Bay | 43 | Ø | 40 | Ø | 16 | 23 | 27 | 13 |
| King Salmon | 97 | 43 | 45 | 2 | 36 | 50 | 25 | 64 |
| Klipuk | 100 | 86 | 13 | 1 | 91 | 9 | 69 | 31 |
| Koliganek | 42 | 12 | 24 | Ø | 40 | Ø | 38 | 2 |
| Kongiganak | 68 | 57 | 10 | Ø | 65 | 2 | 57 | 10 |
| Kwigillingok | 42 | 35 | 5 | 2 | 32 | 10 | 35 | 7 |
| Levelock | 25 | 9 | 8 | Ø | 17 | 1 | 12 | 6 |
| Manokotak | 78 | 45 | 22 | 3 | 67 | 5 | 61 | 9 |
| Naknek | 116 | 37 | 76 | 3 | 68 | 44 | 63 | 51 |
| New Stuyahok | 82 | 53 | 17 | 2 | 71 | 6 | 58 | 16 |
| Nondalton | 60 | 20 | 18 | 2 | 33 | 8 | 34 | 7 |
| Ohlsenakale | 22 | 11 | 6 | 1 | 18 | Ø | 11 | 7 |
| Pedro Bay | 13 | 3 | 10 | Ø | 7 | 6 | 6 | 7 |
| Pilot Point (Absentee) | | | | | | | | |
| Platinum | 19 | 13 | 6 | Ø | 16 | 1 | 7 | 11 |
| Por' Heiden | 30 | 6 | 24 | Ø | 24 | 6 | 17 | 13 |
| Quinhagak | 110 | 99 | 6 | 3 | 105 | 3 | 94 | 14 |
| South Naknek | 41 | 22 | 17 | 1 | 37 | 3 | 28 | 12 |
| Togalak | 113 | 77 | 28 | 4 | 101 | 8 | 74 | 35 |
| SUBTOTAL | 1710 | 903 | 623 | 35 | 1247 | 317 | 1062 | 507 |
| Absentee | 138 | 45 | 82 | 1 | 86 | 38 | 77 | 52 |
| Questioned | | 32 | 25 | 2 | 46 | 16 | 39 | 22 |
| DISTRICT 16 TOTALS | 1848 | 98 | 730 | 38 | 1379 | 371 | 1178 | 581 |

NORTHWEST

District 17

| | | | | | | | | |
|---------------------------|-------------|-------------|------------|-----------|-------------|------------|-------------|------------|
| Akiachuk | 98 | 67 | 25 | 1 | 83 | 11 | 66 | 27 |
| Akiak | 54 | 13 | 32 | 1 | 36 | 10 | 31 | 15 |
| Aniak | 74 | 32 | 30 | Ø | 42 | 20 | 29 | 33 |
| Attanuluk | 52 | 42 | 6 | 4 | 44 | 8 | 31 | 21 |
| Bethel #1 | 381 | 159 | 171 | 2 | 274 | 54 | 224 | 105 |
| Bethel #2 | 342 | 116 | 195 | 4 | 238 | 61 | 212 | 100 |
| Cheformak | 69 | 47 | 17 | 3 | 53 | 14 | 19 | 46 |
| Lek | 62 | 26 | 28 | 2 | 55 | 4 | 32 | 25 |
| Kalskag | 46 | 21 | 9 | 2 | 25 | 6 | 23 | 8 |
| Kosighuk | 97 | 67 | 26 | Ø | 83 | 10 | 76 | 17 |
| Kwethluk | 137 | 115 | 11 | Ø | 120 | 6 | 113 | 13 |
| Lower Kalskag | 46 | 42 | 4 | Ø | 45 | 1 | 45 | 1 |
| Napaklak | 83 | 56 | 13 | 2 | 66 | 5 | 64 | 8 |
| Napa Ktak | 42 | 35 | 6 | 1 | 39 | 3 | 26 | 16 |
| Newtok | 45 | 22 | 13 | 6 | 41 | Ø | 23 | 19 |
| Nightmute | 38 | 16 | 17 | 5 | 32 | 6 | 18 | 20 |
| Nunapitluk | 103 | 70 | 19 | 3 | 89 | 3 | 72 | 20 |
| Nunivak Island | 70 | 21 | 27 | 7 | 41 | 15 | 25 | 29 |
| Nyac (Absentee) | | | | | | | | |
| Oscarville | 13 | 12 | 1 | Ø | 13 | Ø | 12 | 1 |
| Toksook Bay | 86 | 49 | 23 | 7 | 66 | 19 | 46 | 40 |
| Tulukak | 58 | 51 | 6 | 1 | 52 | 6 | 47 | 11 |
| Tuntutullak | 60 | 51 | 8 | Ø | 36 | 23 | 39 | 20 |
| Tununak | 94 | 62 | 24 | 3 | 78 | 11 | 37 | 52 |
| SUBTOTAL | 2150 | 1192 | 711 | 54 | 1651 | 296 | 1309 | 649 |
| Absentee | 159 | 90 | 63 | 3 | 125 | 31 | 119 | 39 |
| Questioned | | 67 | 68 | 6 | 119 | 20 | 99 | 42 |
| DISTRICT 17 TOTALS | 2309 | 1349 | 842 | 63 | 1895 | 347 | 1527 | 730 |

NORTHWEST

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Governor-Lieutenant Governor</u> | | | <u>U. S. Senator</u> | | <u>U. S. Representative</u> | |
|---|---|-------------------------------------|------------------------------------|-------------------------------------|-----------------------|----------------------|-----------------------------|----------------------|
| | | <u>Egan- Boucher (D)</u> | <u>Hammond- Thomas (R)</u> | <u>Vogler- Pepler (AIP)</u> | <u>Gravel (D)</u> | <u>Lewis (R)</u> | <u>Hensley (D)</u> | <u>Young (R)</u> |
| <u>District 18</u> | | | | | | | | |
| Alakanuk | 90 | 48 | 38 | 1 | 69 | 15 | 38 | 43 |
| Anvik | 30 | 14 | 14 | Ø | 20 | 7 | 12 | 13 |
| Chevak | 97 | 56 | 35 | 2 | 83 | 10 | 64 | 29 |
| Chuathbaluk | 34 | 25 | 8 | Ø | 27 | 6 | 22 | 12 |
| Crooked Creek | 24 | 10 | 12 | 1 | 18 | 6 | 10 | 14 |
| Emmonak | 112 | 68 | 27 | Ø | 86 | 10 | 61 | 36 |
| Flint (Absentee) | | | | | | | | |
| Fortuna Ledge | 51 | 32 | 14 | Ø | 37 | 11 | 31 | 18 |
| Galena | 103 | 30 | 40 | 7 | 53 | 22 | 55 | 22 |
| Grayling | 47 | 15 | 29 | 2 | 34 | 12 | 18 | 28 |
| Holy Cross | 71 | 32 | 35 | 1 | 53 | 14 | 35 | 33 |
| Hooper Bay | 138 | 56 | 74 | 5 | 119 | 16 | 118 | 17 |
| Hughes | 24 | 12 | 6 | 1 | 16 | 3 | 17 | 2 |
| Husliu | 44 | 21 | 19 | 1 | 32 | 11 | 28 | 13 |
| Kaltag | 45 | 9 | 32 | 1 | 39 | 3 | 30 | 13 |
| Koyukuk | 24 | 15 | 4 | Ø | 17 | 2 | 10 | 6 |
| McGrath | 96 | 23 | 44 | 19 | 41 | 42 | 31 | 53 |
| Mountain Village | 101 | 66 | 31 | Ø | 80 | 17 | 60 | 36 |
| Nikolai | 30 | 16 | 11 | Ø | 25 | 3 | 19 | 10 |
| Nulato | 78 | 29 | 38 | 3 | 66 | 6 | 52 | 20 |
| Pilot Station | 49 | 31 | 9 | Ø | 36 | 4 | 22 | 17 |
| Pitkas Point | 16 | 10 | 6 | Ø | 14 | 2 | 13 | 3 |
| Red Devil (Absentee) | | | | | | | | |
| Ruby | 45 | 5 | 26 | 6 | 27 | 6 | 21 | 14 |
| Russian Mission | 46 | 18 | 25 | Ø | 34 | 11 | 27 | 17 |
| St. Mary's | 100 | 65 | 30 | 3 | 73 | 20 | 64 | 32 |
| Scammon Bay | 48 | 22 | 19 | 2 | 34 | 14 | 27 | 20 |
| Shageluk | 28 | 11 | 16 | Ø | 19 | 7 | 13 | 13 |
| Sheldon Point | 18 | 9 | 4 | 2 | 13 | 5 | 10 | 5 |
| Sleetmute | 21 | 15 | 4 | 2 | 17 | 3 | 9 | 12 |
| Stony River (Absentee) | | | | | | | | |
| SUBTOTAL | 1610 | 763 | 651 | 59 | 1182 | 288 | 917 | 551 |
| Absentee | 126 | 67 | 45 | 2 | 86 | 26 | 81 | 33 |
| Questioned | | 24 | 31 | 2 | 40 | 17 | 39 | 18 |
| DISTRICT 18 TOTALS | 1736 | 854 | 727 | 63 | 1308 | 331 | 1037 | 602 |

CENTRAL

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Governor-Lieutenant Governor</u> | | | <u>U. S. Senator</u> | | <u>U. S. Representative</u> | |
|---|---|-------------------------------------|------------------------------------|-------------------------------------|-----------------------|----------------------|-----------------------------|----------------------|
| | | <u>Egan- Boucher (D)</u> | <u>Hammond- Thomas (R)</u> | <u>Vogler- Pepler (AIP)</u> | <u>Gravel (D)</u> | <u>Lewis (R)</u> | <u>Henley (D)</u> | <u>Young (R)</u> |
| <u>District 19</u> | | | | | | | | |
| Alatna | 53 | 16 | 31 | 1 | 39 | 9 | 47 | 1 |
| Anderson | 130 | 61 | 57 | 2 | 78 | 42 | 61 | 61 |
| Arctic Village | 39 | 16 | 15 | Ø | 25 | 5 | 25 | 6 |
| Beaver | 26 | 15 | 8 | 1 | 19 | 4 | 19 | 4 |
| Bettles | 29 | 4 | 14 | 6 | 11 | 12 | 11 | 13 |
| Big Delta | 390 | 123 | 205 | 39 | 183 | 166 | 104 | 260 |
| Cuntutwell | 56 | 24 | 21 | Ø | 29 | 13 | 25 | 20 |
| Chalkyitsik | 28 | 8 | 15 | Ø | 22 | 1 | 9 | 14 |
| Chicken (Absentee) | | | | | | | | |
| Chistochina | 95 | 41 | 27 | 9 | 37 | 37 | 26 | 49 |
| Circle | 28 | 14 | 2 | 11 | 19 | 8 | 14 | 11 |
| Clear | 138 | 64 | 52 | 12 | 73 | 49 | 46 | 81 |
| Dot Lake | 26 | 8 | 9 | 2 | 15 | 4 | 9 | 10 |
| Engle | 61 | 27 | 28 | 4 | 22 | 35 | 21 | 35 |
| Fort Yukon | 186 | 95 | 68 | 3 | 138 | 21 | 46 | 115 |
| Gakona | 79 | 38 | 27 | 7 | 36 | 36 | 36 | 38 |
| Healy | 103 | 35 | 43 | 2 | 40 | 32 | 33 | 46 |
| Lake Minchumina (Absentee) | | | | | | | | |
| Lakeview | 18 | 9 | 7 | 1 | 10 | 7 | 5 | 12 |
| Manley Hot Springs | 36 | 7 | 19 | 7 | 12 | 22 | 13 | 21 |
| McKinley Park | 41 | Ø | 36 | 3 | 19 | 15 | 23 | 16 |
| Minto | 51 | 20 | 22 | Ø | 39 | 1 | 38 | 2 |
| Nenana | 210 | 113 | 72 | 9 | 135 | 56 | 105 | 88 |
| Northway | 55 | 33 | 21 | 1 | 40 | 14 | 37 | 18 |
| Paxson | 53 | 8 | 16 | 3 | 12 | 13 | 5 | 22 |
| Rampart | 18 | 4 | 13 | Ø | 10 | 7 | 10 | 6 |
| Stevens Village | 21 | 13 | Ø | Ø | 12 | Ø | 11 | 2 |
| Suntrans | 77 | 50 | 17 | 3 | 61 | 10 | 33 | 37 |
| Tenacross | 42 | 31 | 8 | Ø | 39 | Ø | 34 | 5 |
| Tanana | 124 | 41 | 55 | Ø | 66 | 42 | 56 | 53 |
| Tetlin | 59 | 42 | 10 | Ø | 46 | 6 | 36 | 16 |
| Tok | 214 | 91 | 102 | 6 | 106 | 88 | 76 | 120 |
| Venette | 41 | 14 | 23 | Ø | 31 | 6 | 8 | 29 |
| SUBTOTAL | 2527 | 1065 | 1043 | 141 | 1423 | 761 | 1022 | 1211 |
| Absentee | 291 | 98 | 136 | 14 | 138 | 104 | 123 | 122 |
| Questioned | | 102 | 107 | 19 | 158 | 61 | 122 | 104 |
| DISTRICT 19 TOTALS | 2818 | 1265 | 1286 | 174 | 1719 | 926 | 1267 | 1437 |

CENTRAL

| Election District and Precinct | Number Of Persons Voting | Governor-Lieutenant Governor | | | U. S. Senator | | U. S. Representative | |
|-----------------------------------|--------------------------------|------------------------------|---------------------------|----------------------------|---------------|--------------|----------------------|--------------|
| | | Egan- Boucher (D) | Hammond- Thomas (R) | Vogler- Pepler (AIP) | Gravel (D) | Lewis (R) | Hensley (D) | Young (R) |
| District 20 | | | | | | | | |
| Aurora | 457 | 181 | 225 | 29 | 231 | 190 | 158 | 272 |
| Budger Road #1 | 325 | 132 | 143 | 21 | 164 | 126 | 112 | 181 |
| Budger Road #2 | 270 | 108 | 112 | 36 | 151 | 99 | 110 | 153 |
| Big Bend | 288 | 130 | 100 | 36 | 151 | 107 | 116 | 144 |
| Central House (Absentee) | | | | | | | | |
| Chatanika (Absentee) | | | | | | | | |
| Chena | 595 | 127 | 362 | 31 | 328 | 170 | 344 | 191 |
| Elelson | 158 | 53 | 85 | 6 | 83 | 61 | 66 | 80 |
| Ester | 183 | 60 | 96 | 12 | 109 | 56 | 92 | 76 |
| Fairbanks #1 | 300 | 126 | 123 | 32 | 167 | 111 | 129 | 161 |
| Fairbanks #2 | 239 | 127 | 81 | 17 | 136 | 83 | 120 | 103 |
| Fairbanks #3 | 283 | 137 | 86 | 9 | 144 | 75 | 115 | 115 |
| Fairbanks #4 | 238 | 98 | 95 | 26 | 129 | 81 | 111 | 110 |
| Fairbanks #5 | 295 | 128 | 112 | 15 | 158 | 88 | 116 | 138 |
| Fairbanks #6 | 347 | 215 | 82 | 21 | 243 | 68 | 190 | 125 |
| Fairbanks #7 | 277 | 113 | 127 | 15 | 154 | 98 | 130 | 129 |
| Fairbanks #8 | 252 | 105 | 112 | 12 | 142 | 81 | 123 | 114 |
| Fairbanks #9 | 241 | 94 | 129 | 12 | 101 | 127 | 66 | 169 |
| Fairbanks #10 | 304 | 144 | 113 | 18 | 176 | 95 | 132 | 142 |
| Fairbanks #11 | 223 | 96 | 100 | 16 | 137 | 70 | 107 | 103 |
| Fairbanks #12 | 354 | 140 | 174 | 11 | 192 | 116 | 138 | 185 |
| Fairbanks #13 | 458 | 166 | 232 | 31 | 222 | 196 | 157 | 276 |
| Fairbanks #14 | 374 | 163 | 170 | 15 | 196 | 136 | 133 | 214 |
| Fairbanks #15 | 280 | 123 | 124 | 18 | 163 | 97 | 118 | 152 |
| Fairbanks #16 | 333 | 148 | 134 | 19 | 157 | 136 | 100 | 205 |
| Fairbanks Pioneers Home | 34 | 24 | 8 | 0 | 19 | 9 | 10 | 19 |
| Farmers Loop | 339 | 83 | 215 | 15 | 194 | 106 | 180 | 137 |
| Fort Greeley (Absentee) | | | | | | | | |
| Fort Wainwright | 95 | 24 | 52 | 2 | 37 | 42 | 39 | 41 |
| Fox | 128 | 28 | 53 | 24 | 57 | 46 | 49 | 58 |
| Geist | 481 | 146 | 281 | 11 | 230 | 196 | 214 | 237 |
| Graehl Derby | 192 | 74 | 68 | 11 | 102 | 56 | 73 | 80 |
| International Airport #1 | 238 | 94 | 90 | 28 | 123 | 85 | 98 | 110 |
| International Airport #2 | 217 | 72 | 90 | 23 | 100 | 85 | 72 | 121 |
| Johnston-Westwood | 159 | 44 | 80 | 27 | 70 | 76 | 69 | 79 |
| Lemeta | 260 | 121 | 99 | 30 | 170 | 77 | 118 | 129 |
| North Lemeta | 100 | 45 | 39 | 7 | 58 | 33 | 52 | 41 |
| North Pole | 553 | 230 | 233 | 45 | 305 | 194 | 241 | 275 |
| Salcha | 154 | 42 | 81 | 16 | 71 | 67 | 40 | 102 |
| Shanley Totem | 344 | 96 | 159 | 15 | 182 | 123 | 173 | 151 |
| Steen East | 602 | 184 | 336 | 47 | 323 | 226 | 260 | 315 |
| Steen West | 457 | 134 | 262 | 38 | 224 | 200 | 182 | 259 |
| Two Rivers | 96 | 17 | 60 | 12 | 34 | 50 | 36 | 54 |
| University Campus | 777 | 161 | 424 | 10 | 424 | 154 | 368 | 237 |
| SUBTOTAL | 12,300 | 4533 | 5787 | 819 | 6552 | 4206 | 5257 | 5983 |
| Absentee | 927 | 328 | 518 | 91 | 482 | 321 | 400 | 439 |
| Questioned | | 322 | 435 | 44 | 462 | 193 | 404 | 269 |
| DISTRICT 20 TOTALS | 13,227 | 5185 | 6740 | 954 | 7496 | 4800 | 6061 | 6691 |

NORTHWEST

| Election District and Precinct | Number Of Persons Voting | Governor-Lieutenant Governor | | | U. S. Senator | | U. S. Representative | |
|-----------------------------------|--------------------------------|------------------------------|---------------------------|-----------------------------|---------------|--------------|----------------------|--------------|
| | | Egan- Boucher (D) | Hammond- Thomas (R) | Vogler- Peppler (AIP) | Gravel (D) | Lewis (R) | Hensley (D) | Young (R) |
| District 21 | | | | | | | | |
| Ambler | 49 | 21 | 22 | 1 | 39 | 5 | 39 | 7 |
| Anaktuvuk Pass | 46 | 19 | 26 | 1 | 37 | 9 | 32 | 14 |
| Atkasook (Absentee) | | | | | | | | |
| Barrow | 338 | 240 | 64 | 3 | 262 | 46 | 246 | 55 |
| Barter Island | 41 | 31 | 5 | 2 | 37 | 1 | 33 | 5 |
| Bornite-Kobuk | 26 | 11 | 9 | 2 | 22 | 2 | 22 | 2 |
| Browerville | 88 | 51 | 9 | 0 | 54 | 6 | 45 | 15 |
| Kinna | 80 | 61 | 17 | 1 | 64 | 13 | 67 | 11 |
| Kivalina | 68 | 55 | 10 | 2 | 67 | 1 | 65 | 3 |
| Kotzebue | 509 | 235 | 167 | 8 | 350 | 103 | 363 | 94 |
| Noatak | 64 | 51 | 5 | 0 | 50 | 6 | 53 | 3 |
| Noorvik | 142 | 95 | 33 | 2 | 114 | 19 | 124 | 11 |
| Nuiqsut | 35 | 26 | 7 | 2 | 32 | 2 | 25 | 8 |
| Point Hope | 93 | 51 | 27 | 0 | 71 | 2 | 74 | 3 |
| Point Lay | 14 | 7 | 4 | 0 | 9 | 2 | 9 | 2 |
| Shungnak | 54 | 34 | 20 | 0 | 48 | 5 | 52 | 2 |
| Wainwright | 97 | 67 | 23 | 2 | 79 | 13 | 56 | 35 |
| SUBTOTAL | 1741 | 1105 | 448 | 26 | 1335 | 237 | 1305 | 270 |
| Absentee | 108 | 66 | 35 | 3 | 83 | 15 | 87 | 14 |
| Questioned | | 46 | 27 | 1 | 69 | 8 | 67 | 11 |
| DISTRICT 21 TOTALS | 1852 | 1217 | 51 | 30 | 1497 | 260 | 1459 | 295 |
| District 22 | | | | | | | | |
| Brevig Mission | 22 | 13 | 7 | 0 | 14 | 6 | 12 | 7 |
| Buckland | 53 | 46 | 5 | 0 | 47 | 4 | 47 | 4 |
| Candle (Absentee) | | | | | | | | |
| Deering | 34 | 17 | 6 | 0 | 20 | 3 | 18 | 5 |
| Diomed Island | 43 | 32 | 5 | 1 | 37 | 4 | 31 | 9 |
| Elim | 68 | 57 | 11 | 0 | 60 | 7 | 56 | 12 |
| Gambell | 115 | 92 | 31 | 3 | 100 | 12 | 88 | 26 |
| Golevin | 39 | 25 | 12 | 0 | 29 | 5 | 32 | 4 |
| Kotlik | 75 | 48 | 12 | 3 | 50 | 11 | 32 | 27 |
| Koyuk | 45 | 26 | 11 | 2 | 34 | 5 | 30 | 9 |
| Nome #1 | 392 | 169 | 156 | 4 | 209 | 121 | 182 | 148 |
| Nome #2 | 415 | 219 | 161 | 3 | 250 | 123 | 233 | 145 |
| Northeast Cape (Absentee) | | | | | | | | |
| Savoonga | 132 | 105 | 21 | 2 | 116 | 11 | 101 | 28 |
| Selawik | 127 | 70 | 32 | 2 | 81 | 15 | 84 | 15 |
| Shuktoolik | 32 | 25 | 6 | 0 | 26 | 6 | 27 | 5 |
| Shishmaref | 91 | 64 | 24 | 1 | 81 | 10 | 74 | 14 |
| Stebbins | 62 | 47 | 5 | 5 | 54 | 5 | 40 | 19 |
| St. Michael | 60 | 50 | 6 | 1 | 49 | 10 | 42 | 18 |
| Teller | 57 | 27 | 23 | 1 | 41 | 9 | 39 | 13 |
| Upernivik | 160 | 88 | 53 | 3 | 96 | 46 | 96 | 49 |
| Wales | 47 | 34 | 10 | 0 | 39 | 7 | 37 | 9 |
| White Mountain | 33 | 14 | 14 | 0 | 16 | 13 | 22 | 7 |
| SUBTOTAL | 2102 | 1257 | 611 | 31 | 1449 | 433 | 1323 | 573 |
| Absentee | 139 | 65 | 60 | 5 | 91 | 39 | 86 | 47 |
| Questioned | | 90 | 42 | 2 | 103 | 30 | 100 | 34 |
| DISTRICT 22 TOTALS | 2241 | 1412 | 713 | 36 | 1643 | 502 | 1509 | 654 |

STATEWIDE

| | Number Of Persons Voting | Governor-Lieutenant Governor | | | U. S. Senator | | U. S. Representative | |
|------------------|--------------------------------|------------------------------|---------------------------|-----------------------------|---------------|---------------|----------------------|---------------|
| | | Egan- Boucher (D) | Hammond- Thomas (R) | Vogler- Peppler (AIP) | Gravel (D) | Lewis (R) | Hensley (D) | Young (R) |
| District 1 | 4612 | 2529 | 1856 | 173 | 2800 | 1534 | 1988 | 2545 |
| District 2 | 2213 | 1278 | 828 | 61 | 1381 | 735 | 991 | 1140 |
| District 3 | 2699 | 1410 | 1232 | 37 | 1752 | 802 | 1233 | 1392 |
| District 4 | 8052 | 4569 | 3173 | 178 | 4650 | 2935 | 3693 | 4191 |
| District 5 | 2875 | 1431 | 1240 | 135 | 1475 | 1239 | 1119 | 1680 |
| District 6 | 3451 | 1327 | 1722 | 304 | 1463 | 1754 | 1169 | 2178 |
| District 7 | 6351 | 3127 | 2738 | 283 | 3625 | 2377 | 3151 | 3001 |
| District 8 | 6795 | 2932 | 3233 | 468 | 3422 | 2983 | 2858 | 3734 |
| District 9 | 4126 | 1875 | 1778 | 209 | 2270 | 1671 | 1943 | 2099 |
| District 10 | 7880 | 3228 | 4117 | 371 | 3449 | 4060 | 2802 | 4953 |
| District 11 | 7886 | 3255 | 4022 | 500 | 3723 | 3827 | 3274 | 4499 |
| District 12 | 7741 | 3039 | 3881 | 336 | 3240 | 4045 | 2706 | 4884 |
| District 13 | 5066 | 1700 | 3007 | 254 | 2333 | 2487 | 2039 | 2939 |
| District 14 | 1664 | 730 | 876 | 24 | 973 | 618 | 696 | 905 |
| District 15 | 1115 | 691 | 351 | 47 | 878 | 210 | 580 | 511 |
| District 16 | 1848 | 980 | 730 | 38 | 1379 | 371 | 1178 | 581 |
| District 17 | 2309 | 1349 | 842 | 63 | 1895 | 347 | 1527 | 730 |
| District 18 | 1736 | 854 | 727 | 63 | 1308 | 331 | 1037 | 602 |
| District 19 | 2818 | 1265 | 1286 | 174 | 1719 | 926 | 1267 | 1437 |
| District 20 | 13227 | 5183 | 6740 | 954 | 7496 | 4800 | 6061 | 6691 |
| District 21 | 1852 | 1217 | 510 | 30 | 1487 | 260 | 1459 | 295 |
| District 22 | 2241 | 1412 | 713 | 38 | 1643 | 502 | 1509 | 654 |
| STATEWIDE TOTALS | <u>98,557</u> | <u>*45,381</u> | <u>*45,602</u> | <u>*4,740</u> | <u>54,361</u> | <u>38,914</u> | <u>44,280</u> | <u>51,641</u> |

*Official Recount of the Governor's race reflects the following totals:

| <u>EGAN</u> | <u>HAMMOND</u> | <u>VOGLER</u> |
|-------------|----------------|---------------|
| 45,553 | 45,840 | 4,770 |

STATE SENATOR

Senate District A

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Whittaker (I)</u> | <u>Ziegler (D)</u> |
|---|---|--------------------------|------------------------|
| <u>District 1</u> | | | |
| Cape Pole | 43 | 11 | 30 |
| Clover Pass | 120 | 45 | 70 |
| Coffman Cove | 34 | 6 | 26 |
| Craig | 114 | 45 | 60 |
| El Capitan | 29 | 7 | 21 |
| Hydaburg | 94 | 55 | 36 |
| Hyder (Absentee) | | | |
| Ketchikan #1 | 211 | 99 | 95 |
| Ketchikan #2 | 288 | 91 | 176 |
| Ketchikan #3 | 278 | 82 | 171 |
| Ketchikan #4 | 205 | 66 | 134 |
| Ketchikan #5 | 193 | 57 | 133 |
| Ketchikan #6 | 300 | 84 | 207 |
| Ketchikan #7 | 327 | 71 | 243 |
| Ketchikan #8 | 357 | 93 | 246 |
| Klawock | 69 | 35 | 34 |
| Metlakatla | 309 | 158 | 139 |
| Mountain Point | 170 | 56 | 105 |
| Mud Bay | 236 | 82 | 144 |
| Myers Chuck | 25 | 12 | 11 |
| Naukati | 31 | 11 | 19 |
| Pemnoek-Grovinna | 32 | 10 | 22 |
| Point Baker | 31 | 16 | 12 |
| Saxman (Revilla) | 223 | 83 | 136 |
| Thorne Bay | 110 | 37 | 67 |
| Tuxekan | 11 | 4 | 7 |
| Twelve Mile Arm (Absentee) | | | |
| Wacker | 111 | 40 | 63 |
| Ward Cove | 169 | 54 | 107 |
| Whale Pass | 29 | 11 | 17 |
| SUBTOTAL | 4149 | 1421 | 2531 |
| Absentee | 463 | 166 | 265 |
| Questioned | | 34 | 54 |
| DISTRICT 1 TOTALS | 4612 | 1621 | 2850 |

Senate District C

| <u>District 4</u> | <u>Number Of Persons Voting</u> | <u>Nelson (R)</u> | <u>Ray (D)</u> |
|--------------------------|---|-----------------------|--------------------|
| Auke Bay | 569 | 127 | 417 |
| Chilkat | 66 | 8 | 56 |
| Douglas #1 | 274 | 50 | 212 |
| Douglas #2 | 266 | 42 | 213 |
| Haines | 216 | 40 | 157 |
| Juneau #1 | 224 | 22 | 160 |
| Juneau #2 | 295 | 43 | 239 |
| Juneau #3 | 276 | 46 | 208 |
| Juneau #4 | 299 | 40 | 226 |
| Juneau #5 | 207 | 24 | 156 |
| Juneau #6 | 285 | 32 | 240 |
| Juneau #7 | 385 | 73 | 297 |
| Juneau #9 | 331 | 53 | 266 |
| Juneau Airport | 432 | 63 | 340 |
| Klukwan | 67 | 7 | 55 |
| Lemon Creek | 630 | 106 | 496 |
| Lower Mendenhall | 500 | 86 | 376 |
| Lynn Canal | 227 | 58 | 157 |
| North Douglas | 257 | 38 | 207 |
| Port Chilkoot | 119 | 21 | 90 |
| Salmon Creek | 144 | 42 | 95 |
| Sheep Creek | 52 | 16 | 31 |
| Skagway | 267 | 43 | 221 |
| Upper Mendenhall | 676 | 112 | 542 |
| SUBTOTAL | 7064 | 1200 | 5477 |
| Absentee | 988 | 163 | 741 |
| Questioned | | 32 | 138 |
| DISTRICT 4 TOTALS | 8052 | 1395 | 6356 |

STATE SENATOR

Senate District E

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Chance (D)</u> | <u>Croft (D)</u> | <u>Harris (R)</u> |
|---|---|-----------------------|----------------------|-----------------------|
| <u>District 7</u> | | | | |
| Anchorage #4 | 350 | 190 | 231 | 189 |
| Anchorage #6 | 500 | 252 | 307 | 275 |
| Anchorage #9 | 303 | 162 | 193 | 156 |
| Anchorage #11 | 411 | 244 | 273 | 187 |
| Anchorage #12 | 619 | 327 | 385 | 303 |
| Anchorage #13 | 429 | 229 | 283 | 202 |
| Anchorage #14 | 457 | 245 | 299 | 195 |
| Anchorage #15 | 327 | 193 | 197 | 131 |
| Anchorage #16 | 305 | 159 | 188 | 179 |
| Anchorage #17 | 317 | 211 | 207 | 137 |
| Anchorage #19 | 410 | 222 | 252 | 153 |
| Anchorage #20 | 283 | 187 | 172 | 82 |
| Anchorage #21 | 294 | 158 | 185 | 116 |
| Anchorage #25 | 463 | 243 | 327 | 251 |
| Anchorage #30 | 406 | 221 | 272 | 194 |
| SUBTOTAL | 5874 | 3243 | 3771 | 2750 |
| Absentee and Questioned | 477 | 312 | 354 | 274 |
| DISTRICT 7 TOTALS | <u>6351</u> | <u>3555</u> | <u>4125</u> | <u>3024</u> |

| <u>District 8</u> | | <u>Atwater (D)</u> | <u>Bradley (R)</u> | <u>Martin (R)</u> | <u>Willis (D)</u> |
|----------------------------|-------------|------------------------|------------------------|-----------------------|-----------------------|
| Anchorage #27 | 495 | 189 | 205 | 179 | 215 |
| Anchorage #28 | 485 | 166 | 232 | 181 | 227 |
| Anchorage #29 | 457 | 152 | 217 | 203 | 211 |
| Anchorage #31 | 216 | 67 | 96 | 115 | 74 |
| Anchorage #34 | 237 | 72 | 130 | 112 | 83 |
| Gr Anch Boro #139 | 498 | 161 | 257 | 242 | 199 |
| Gr Anch Boro #142 | 528 | 152 | 263 | 240 | 261 |
| Gr Anch Boro #143 | 496 | 154 | 275 | 213 | 222 |
| Gr Anch Boro #144 | 593 | 174 | 319 | 290 | 279 |
| Gr Anch Boro #147 | 667 | 257 | 268 | 278 | 177 |
| Gr Anch Boro #148 | 669 | 267 | 245 | 233 | 175 |
| Gr Anch Boro #149 | 376 | 143 | 138 | 118 | 220 |
| Gr Anch Boro #150 | 444 | 186 | 150 | 128 | 300 |
| Gr Anch Boro #151 | 304 | 133 | 104 | 95 | 162 |
| SUBTOTAL | 6465 | 2273 | 2899 | 2643 | 1205 |
| Absentee and Questioned | 330 | 197 | 190 | 170 | 251 |
| DISTRICT 8 TOTALS | <u>6795</u> | <u>2470</u> | <u>3097</u> | <u>2813</u> | <u>1456</u> |

| <u>District 9</u> | | <u>Rodey (D)</u> | <u>Saylor (R)</u> |
|----------------------------|-------------|----------------------|-----------------------|
| Anchorage #3A | 226 | 130 | 68 |
| Gr Anch Boro #101 | 390 | 258 | 101 |
| Gr Anch Boro #102 | 487 | 327 | 125 |
| Gr Anch Boro #103 | 431 | 299 | 107 |
| Gr Anch Boro #104 | 146 | 88 | 42 |
| Gr Anch Boro #105 | 285 | 180 | 89 |
| Gr Anch Boro #106 | 197 | 120 | 56 |
| Gr Anch Boro #107 | 500 | 270 | 187 |
| Gr Anch Boro #108 | 253 | 142 | 83 |
| Gr Anch Boro #109 | 423 | 262 | 125 |
| Gr Anch Boro #110 | 606 | 352 | 211 |
| SUBTOTAL | 3944 | 2428 | 1194 |
| Absentee and Questioned | 182 | 148 | 83 |
| DISTRICT 9 TOTALS | <u>4126</u> | <u>2576</u> | <u>1277</u> |

STATE SENATOR

Senate District H

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Orsini (R)</u> | <u>Wright (D)</u> |
|---|---|-----------------------|-----------------------|
| <u>District 10</u> | | | |
| Anchorage #12A | 342 | 165 | 161 |
| Anchorage #22 | 556 | 283 | 244 |
| Anchorage #22A | 762 | 488 | 247 |
| Anchorage #23 | 485 | 217 | 239 |
| Anchorage #24 | 545 | 250 | 260 |
| Anchorage #32 | 881 | 514 | 330 |
| Anchorage #33 | 728 | 397 | 291 |
| Gr Anch Boro #135 | 456 | 246 | 178 |
| Gr Anch Boro #137 | 291 | 136 | 137 |
| Gr Anch Boro #138 | 636 | 347 | 251 |
| Gr Anch Boro #139A | 325 | 139 | 147 |
| Gr Anch Boro #140 | 426 | 254 | 154 |
| Gr Anch Boro #141 | 778 | 443 | 300 |
| Gr Anch Boro #145 | 244 | 105 | 123 |
| SUBTOTAL | 7455 | 3984 | 3062 |
| Absentee and Questioned | 425 | 263 | 205 |
| <u>DISTRICT 10 TOTALS</u> | <u>7880</u> | <u>4247</u> | <u>3267</u> |

Senate District I

| <u>District 11</u> | <u>Colletta (R)</u> | <u>Ryan (D)</u> |
|-------------------------------|-------------------------|---------------------|
| Gr Anch Boro #117 | 325 | 156 |
| Gr Anch Boro #118 | 706 | 339 |
| Gr Anch Boro #122 | 670 | 344 |
| Gr Anch Boro #123 | 436 | 196 |
| Gr Anch Boro #125 | 100 | 32 |
| Gr Anch Boro #126 | 137 | 48 |
| Gr Anch Boro #127 | 429 | 215 |
| Gr Anch Boro #128 | 670 | 323 |
| Gr Anch Boro #129 | 2025 | 511 |
| Gr Anch Boro #130 | 408 | 194 |
| Gr Anch Boro #131 | 646 | 312 |
| Gr Anch Boro #132 | 623 | 252 |
| Gr Anch Boro #134 | 762 | 374 |
| Gr Anch Boro #136 | 548 | 239 |
| SUBTOTAL | 7493 | 3535 |
| Absentee and Questioned | 393 | 283 |
| <u>DISTRICT 11 TOTALS</u> | <u>7886</u> | <u>3664</u> |

Senate District J

| <u>District 12</u> | <u>McShea (R)</u> | <u>Kader (D)</u> |
|-------------------------------|-----------------------|----------------------|
| Anchorage #1 | 590 | 222 |
| Anchorage #2 | 550 | 224 |
| Anchorage #3 | 404 | 188 |
| Anchorage #5 | 762 | 299 |
| Anchorage #7 | 295 | 78 |
| Gr Anch Boro #111 | 508 | 254 |
| Gr Anch Boro #113 | 679 | 259 |
| Gr Anch Boro #114 | 384 | 130 |
| Gr Anch Boro #116 | 669 | 216 |
| Gr Anch Boro #119 | 969 | 364 |
| Gr Anch Boro #120 | 420 | 154 |
| Gr Anch Boro #121 | 1046 | 401 |
| SUBTOTAL | 7276 | 2789 |
| Absentee and Questioned | 466 | 185 |
| <u>DISTRICT 12 TOTALS</u> | <u>7742</u> | <u>4324</u> |

STATE SENATOR

Senate District L

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Fisk (R)</u> | <u>Poland (D)</u> |
|---|---|---------------------|-----------------------|
| <u>District 14</u> | | | |
| Cape Gishnik | 70 | 11 | 57 |
| Coast Guard Base | 93 | 11 | 77 |
| Kodiak #1 | 293 | 25 | 249 |
| Kodiak #2 | 300 | 31 | 252 |
| Kodiak #3 | 322 | 45 | 252 |
| Mission Road | 374 | 38 | 308 |
| Ouzinkie | 60 | 5 | 54 |
| SUBTOTAL | <u>1512</u> | <u>166</u> | <u>1249</u> |
| Absentee | 152 | 24 | 113 |
| Questioned | | 4 | 31 |
| DISTRICT 14 TOTALS | <u>1664</u> | <u>194</u> | <u>1393</u> |
| | | | |
| <u>District 15</u> | | | |
| Adak | 94 | 33 | 45 |
| Akutan | 35 | 7 | 28 |
| Ahtak | 20 | 9 | 11 |
| Atka | 15 | 4 | 11 |
| Belkofski (Absentee) | | | |
| Chignik | 23 | 0 | 23 |
| Chignik Lagoon (Absentee) | | | |
| Chignik Lake | 35 | 6 | 26 |
| Cold Bay | 59 | 20 | 32 |
| False Pass (Absentee) | | | |
| Ivanof Bay | 10 | 1 | 7 |
| Karluk | 33 | 0 | 33 |
| King Cove | 66 | 13 | 50 |
| Larsen Bay | 34 | 5 | 27 |
| Nelson Lagoon (Absentee) | | | |
| Nikolski | 27 | 3 | 21 |
| Old Harbor | 61 | 10 | 49 |
| Pauloff Harbor (Abandoned) | | | |
| Perryville | 44 | 4 | 40 |
| Port Lions | 63 | 4 | 58 |
| Sand Point | 128 | 18 | 101 |
| Squaw Harbor | 18 | 2 | 13 |
| St. George | 47 | 11 | 36 |
| St. Paul | 122 | 18 | 97 |
| Ugalik Bay (Unreported) | | | |
| Unalaska | 86 | 14 | 63 |
| SUBTOTAL | <u>1020</u> | <u>182</u> | <u>771</u> |
| Absentee | 95 | 17 | 67 |
| Questioned | | 5 | 9 |
| DISTRICT 15 TOTALS | <u>1115</u> | <u>204</u> | <u>847</u> |
| | | | |
| SENATE DISTRICT L TOTALS | <u>2779</u> | <u>398</u> | <u>2240</u> |

STATE SENATOR

Senate District 0

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Butrovich (R)</u> | <u>Carrol (R)</u> | <u>Hamme (D)</u> | <u>Huber (D)</u> | <u>Roberts (AI)</u> |
|---|---|--------------------------|-----------------------|----------------------|----------------------|-------------------------|
| <u>District 20</u> | | | | | | |
| Aurora | 457 | 220 | 181 | 170 | 225 | 42 |
| Badger Road #1 | 325 | 141 | 125 | 117 | 169 | 31 |
| Badger Road #2 | 270 | 112 | 102 | 112 | 134 | 42 |
| Big Bend | 288 | 134 | 104 | 94 | 147 | 32 |
| Central House (Absentee) | | | | | | |
| Chatanika (Absentee) | | | | | | |
| Chena | 595 | 293 | 304 | 124 | 228 | 45 |
| Eielson | 158 | 80 | 66 | 37 | 88 | 14 |
| Ester | 183 | 90 | 78 | 46 | 96 | 13 |
| Fairbanks #1 | 300 | 181 | 113 | 85 | 133 | 24 |
| Fairbanks #2 | 239 | 120 | 94 | 73 | 120 | 20 |
| Fairbanks #3 | 283 | 150 | 99 | 66 | 105 | 12 |
| Fairbanks #4 | 238 | 125 | 81 | 87 | 117 | 21 |
| Fairbanks #5 | 295 | 158 | 97 | 82 | 133 | 8 |
| Fairbanks #6 | 347 | 91 | 169 | 108 | 165 | 19 |
| Fairbanks #7 | 277 | 151 | 92 | 76 | 140 | 26 |
| Fairbanks #8 | 252 | 126 | 109 | 88 | 111 | 16 |
| Fairbanks #9 | 241 | 163 | 88 | 59 | 107 | 21 |
| Fairbanks #10 | 304 | 139 | 110 | 103 | 141 | 15 |
| Fairbanks #11 | 223 | 113 | 76 | 80 | 115 | 14 |
| Fairbanks #12 | 354 | 178 | 137 | 106 | 197 | 19 |
| Fairbanks #13 | 459 | 252 | 213 | 140 | 202 | 30 |
| Fairbanks #14 | 374 | 242 | 161 | 95 | 147 | 18 |
| Fairbanks #15 | 280 | 129 | 135 | 110 | 130 | 16 |
| Fairbanks #16 | 333 | 202 | 142 | 77 | 145 | 22 |
| Fairbanks Pioneers Home | 34 | 21 | 4 | 11 | 16 | 8 |
| Farmers Loop | 339 | 179 | 155 | 83 | 150 | 24 |
| Fort Greeley (Absentee) | | | | | | |
| Fort Widwright | 95 | 42 | 40 | 24 | 36 | 7 |
| Fox | 128 | 56 | 45 | 24 | 59 | 23 |
| Geist | 481 | 257 | 212 | 132 | 214 | 40 |
| Groch Derby | 192 | 77 | 62 | 54 | 85 | 9 |
| International Airport #1 | 238 | 107 | 61 | 90 | 120 | 29 |
| International Airport #2 | 217 | 108 | 72 | 71 | 100 | 24 |
| Johnston-Westwood | 159 | 80 | 63 | 47 | 76 | 21 |
| Lemeta | 260 | 120 | 89 | 99 | 137 | 24 |
| North Lemeta | 100 | 33 | 29 | 38 | 60 | 14 |
| North Pole | 553 | 221 | 190 | 207 | 288 | 73 |
| Salcha | 154 | 75 | 49 | 60 | 76 | 19 |
| Shunby-Totem | 144 | 183 | 137 | 93 | 163 | 37 |
| Steele East | 02 | 324 | 251 | 163 | 291 | 66 |
| Steele West | 157 | 241 | 198 | 139 | 214 | 47 |
| Two Rivers | 96 | 45 | 36 | 28 | 34 | 30 |
| University Campus | 777 | 345 | 34 | 133 | 281 | 35 |
| SUBTOTAL | 12300 | 6164 | 4533 | 3631 | 5699 | 1042 |
| Absentee | 927 | 434 | 369 | 265 | 357 | 83 |
| Questioned | | 257 | 278 | 206 | 278 | 54 |
| DISTRICT 20 TOTALS | 13227 | 6795 | 5560 | 4102 | 6334 | 1179 |

STATE SENATOR

Senate District P

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Ferguson (D)</u> |
|---|---|-------------------------|
| <u>District 21</u> | | |
| Ambler | 49 | 45 |
| Anaktuvuk Pass | 46 | 40 |
| Atkasook (Absentee) | | |
| Barrow | 338 | 287 |
| Barter Island | 41 | 36 |
| Bornite-Kobuk | 26 | 23 |
| Browerville | 88 | 59 |
| Kiana | 80 | 76 |
| Kivalina | 68 | 67 |
| Kotzebue | 509 | 449 |
| Noatak | 64 | 54 |
| Noorvik | 142 | 138 |
| Nulqsut | 35 | 31 |
| Point Hope | 93 | 74 |
| Point Lay | 14 | 11 |
| Shungnak | 54 | 52 |
| Wainwright | 97 | 88 |
| SUBTOTAL | 1744 | 1530 |
| Absentee | 108 | 84 |
| Questioned | | 59 |
| DISTRICT 21 TOTALS | <u>1852</u> | <u>1673</u> |
| | | |
| <u>District 22</u> | | |
| Brevig Mission | 22 | 18 |
| Buckland | 53 | 51 |
| Candle (Absentee) | | |
| Deering | 34 | 23 |
| Diomed Island | 43 | 36 |
| Elim | 68 | 60 |
| Gambell | 115 | 97 |
| Golovin | 39 | 34 |
| Kotlik | 75 | 56 |
| Koyuk | 45 | 33 |
| Nome #1 | 392 | 263 |
| Nome #2 | 415 | 308 |
| Northeast Cape (Absentee) | | |
| Savoonga | 132 | 121 |
| Selawik | 127 | 93 |
| Shaktookk | 32 | 30 |
| Shishmaref | 91 | 86 |
| Stebbins | 62 | 51 |
| St. Michael | 60 | 56 |
| Teller | 57 | 50 |
| Unalakleet | 160 | 120 |
| Wales | 47 | 43 |
| White Mountain | 33 | 27 |
| SUBTOTAL | 2102 | 1656 |
| Absentee | 139 | 111 |
| Questioned | | 107 |
| DISTRICT 22 TOTALS | <u>2241</u> | <u>1874</u> |
| | | |
| SENATE DISTRICT P TOTALS | <u>4093</u> | <u>3547</u> |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Freeman (D)</u> | <u>Gardiner (D)</u> | <u>Zastrow (R)</u> |
|---|---|------------------------|-------------------------|------------------------|
| <u>District 1</u> | | | | |
| Cape Pole | 43 | 34 | 18 | 17 |
| Clover Pass | 120 | 87 | 71 | 54 |
| Coffman Cove | 34 | 24 | 23 | 6 |
| Craig | 114 | 67 | 89 | 31 |
| El Capitan | 29 | 21 | 20 | 7 |
| Hydaburg | 94 | 75 | 80 | 12 |
| Hyder (Absentee) | | | | |
| Ketchikan #1 | 211 | 149 | 158 | 41 |
| Ketchikan #2 | 288 | 198 | 195 | 90 |
| Ketchikan #3 | 278 | 207 | 155 | 98 |
| Ketchikan #4 | 205 | 153 | 114 | 102 |
| Ketchikan #5 | 193 | 145 | 125 | 79 |
| Ketchikan #6 | 300 | 207 | 180 | 142 |
| Ketchikan #7 | 327 | 247 | 196 | 147 |
| Ketchikan #8 | 357 | 261 | 232 | 134 |
| Klawock | 69 | 49 | 56 | 9 |
| Metlakatla | 309 | 195 | 253 | 64 |
| Mountain Point | 170 | 132 | 96 | 70 |
| Mud Bay | 236 | 171 | 165 | 87 |
| Myers Chuck | 25 | 19 | 13 | 7 |
| Naukati | 31 | 22 | 24 | 4 |
| Pennock-Gravina | 32 | 17 | 21 | 18 |
| Point Baker | 31 | 25 | 20 | 6 |
| Saxman (Revilla) | 223 | 177 | 143 | 75 |
| Thorne Bay | 110 | 78 | 74 | 18 |
| Tuxekan | 11 | 5 | 7 | 2 |
| Twelve Mile Arm (Absentee) | | | | |
| Wacker | 111 | 78 | 73 | 36 |
| Ward Cove | 169 | 127 | 104 | 74 |
| Whale Pass | 29 | 19 | 17 | 14 |
| SUBTOTAL | 4149 | 2989 | 2722 | 1444 |
| Absentee | 463 | 312 | 301 | 149 |
| Questioned | | 59 | 67 | 30 |
| DISTRICT 1 TOTALS | <u>4612</u> | <u>3360</u> | <u>3090</u> | <u>1623</u> |

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Haugen (R)</u> |
|---|---|-----------------------|
| <u>District 2</u> | | |
| Angoon | 124 | 86 |
| Funter Bay (Absentee) | | |
| Gustavus | 49 | 29 |
| Hoonah | 228 | 132 |
| Kake | 142 | 114 |
| Petersburg #1 | 328 | 273 |
| Petersburg #2 | 264 | 229 |
| Rowan Bay | 40 | 25 |
| Snow Bay | 106 | 82 |
| Stikine | 226 | 168 |
| Tenakee Springs | 45 | 25 |
| Wrangell #1 | 180 | 139 |
| Wrangell #2 | 227 | 175 |
| Zarembo (Absentee) | | |
| SUBTOTAL | 1959 | 1477 |
| Absentee | 254 | 186 |
| Questioned | | 24 |
| DISTRICT 2 TOTALS | <u>2213</u> | <u>1687</u> |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Eliaison (R)</u> | <u>Flynn (D)</u> |
|---|---|-------------------------|----------------------|
| District 3 | | | |
| Elfin Cove | 22 | 9 | 7 |
| Halibut Point | 401 | 196 | 163 |
| Jamestown Bay | 255 | 149 | 78 |
| Lisianski (Pelican) | 70 | 54 | 16 |
| Mt. Edgecumbe | 240 | 134 | 90 |
| Port Alexander | 19 | 10 | 9 |
| Rodman Bay | 32 | 13 | 16 |
| Sitka #1 | 204 | 91 | 94 |
| Sitka #2 | 381 | 213 | 137 |
| Sitka #3 | 379 | 186 | 158 |
| Sitka #4 | 290 | 172 | 96 |
| Yakutat | 95 | 38 | 48 |
| Yakutat Airport | 53 | 27 | 25 |
| SUBTOTAL | 2441 | 1292 | 935 |
| Absentee | 258 | 155 | 80 |
| Questioned | | 20 | 18 |
| DISTRICT 3 TOTALS | <u>2699</u> | <u>1467</u> | <u>1033</u> |

| <u>District 4</u> | | <u>Banfield (R)</u> | <u>DeBoer (R)</u> | <u>Duncan (D)</u> | <u>Miller (D)</u> |
|--------------------------|-------------|-------------------------|-----------------------|-----------------------|-----------------------|
| Auke Bay | 569 | 322 | 167 | 257 | 319 |
| Chilkot | 66 | 24 | 13 | 31 | 41 |
| Douglas #1 | 274 | 136 | 76 | 127 | 170 |
| Douglas #2 | 266 | 119 | 54 | 147 | 178 |
| Haines | 216 | 112 | 51 | 90 | 125 |
| Juneau #1 | 224 | 67 | 37 | 134 | 147 |
| Juneau #2 | 295 | 118 | 57 | 165 | 210 |
| Juneau #3 | 276 | 110 | 68 | 144 | 169 |
| Juneau #4 | 299 | 119 | 44 | 171 | 180 |
| Juneau #5 | 207 | 74 | 39 | 117 | 125 |
| Juneau #6 | 285 | 143 | 84 | 123 | 170 |
| Juneau #7 | 385 | 201 | 103 | 177 | 233 |
| Juneau #9 | 331 | 135 | 73 | 187 | 226 |
| Juneau Airport | 432 | 204 | 102 | 236 | 254 |
| Klukwan | 67 | 16 | 14 | 46 | 37 |
| Lemon Creek | 630 | 245 | 177 | 364 | 389 |
| Lower Mendenhall | 500 | 224 | 157 | 233 | 282 |
| Lynn Canal | 227 | 115 | 51 | 108 | 146 |
| North Douglas | 257 | 127 | 83 | 121 | 148 |
| Port Chilkoot | 119 | 64 | 26 | 52 | 66 |
| Salmon Creek | 144 | 79 | 44 | 63 | 78 |
| Sheep Creek | 52 | 28 | 13 | 21 | 28 |
| Skogway | 267 | 159 | 64 | 120 | 169 |
| Upper Mendenhall | 676 | 327 | 211 | 322 | 422 |
| SUBTOTAL | 7064 | 3268 | 1804 | 3556 | 4312 |
| Absentee | 988 | 473 | 245 | 431 | 607 |
| Questioned | | 61 | 51 | 96 | 113 |
| DISTRICT 4 TOTALS | <u>8052</u> | <u>3802</u> | <u>2102</u> | <u>4083</u> | <u>5032</u> |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Day (D)</u> | <u>Specking (R)</u> |
|---|---|--------------------|-------------------------|
| District 5 | | | |
| Bear Creek | 134 | 43 | 86 |
| Cooper Landing | 74 | 14 | 56 |
| Copper Center | 78 | 39 | 32 |
| Cordova | 503 | 154 | 329 |
| Eyak | 75 | 11 | 49 |
| Glennallen | 269 | 61 | 175 |
| Hope | 39 | 10 | 26 |
| Kenny Lake | 107 | 25 | 63 |
| Moose Pass | 77 | 11 | 65 |
| Seward #1 | 216 | 63 | 139 |
| Seward #2 | 296 | 64 | 216 |
| Tatitlek | 12 | | 4 |
| Valdez | 616 | 367 | 128 |
| Whittier | 54 | 22 | 24 |
| SUBTOTAL | 2550 | 890 | 1392 |
| Absentee | 325 | 126 | 160 |
| Questioned | | 23 | 22 |
| DISTRICT 5 TOTALS | <u>2875</u> | <u>1039</u> | <u>1574</u> |

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Ose (D)</u> | <u>Vickaryous (R)</u> |
|---|---|--------------------|---------------------------|
| District 6 | | | |
| Big Lake | 148 | 55 | 76 |
| Butte | 485 | 270 | 172 |
| Eska Sutton | 87 | 52 | 31 |
| Houston | 75 | 42 | 31 |
| Mutanuska | 687 | 339 | 274 |
| Palmer | 498 | 339 | 136 |
| Sheep Mountain | 52 | 9 | 39 |
| Sustna | 114 | 30 | 72 |
| Tulkeetna | 126 | 37 | 83 |
| Wasilla | 667 | 357 | 260 |
| Willow | 144 | 58 | 80 |
| SUBTOTAL | 3083 | 1588 | 1254 |
| Absentee | 368 | 166 | 158 |
| Questioned | | 32 | 37 |
| DISTRICT 6 TOTALS | <u>3451</u> | <u>1786</u> | <u>1449</u> |

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Avory (R)</u> | <u>Beirne (R)</u> | <u>Fink (R)</u> | <u>Gruening (D)</u> | <u>Milon (I)</u> | <u>Ottino (L)</u> | <u>Parker (D)</u> | <u>Rosa (D)</u> | <u>Suoner (R)</u> |
|---|---|----------------------|-----------------------|---------------------|-------------------------|----------------------|-----------------------|-----------------------|---------------------|-----------------------|
| District 7 | | | | | | | | | | |
| Anchorage #4 | 350 | 60 | 129 | 181 | 199 | 135 | 135 | 139 | 98 | 125 |
| Anchorage #6 | 500 | 125 | 195 | 248 | 267 | 182 | 216 | 194 | 109 | 145 |
| Anchorage #9 | 303 | 71 | 126 | 143 | 169 | 97 | 131 | 132 | 67 | 75 |
| Anchorage #11 | 411 | 88 | 145 | 193 | 236 | 144 | 195 | 180 | 100 | 124 |
| Anchorage #12 | 619 | 93 | 207 | 251 | 355 | 222 | 282 | 274 | 185 | 170 |
| Anchorage #13 | 429 | 96 | 138 | 159 | 244 | 127 | 211 | 207 | 147 | 107 |
| Anchorage #14 | 457 | 75 | 127 | 165 | 280 | 149 | 214 | 235 | 154 | 98 |
| Anchorage #15 | 327 | 57 | 100 | 110 | 187 | 87 | 152 | 168 | 112 | 72 |
| Anchorage #16 | 305 | 56 | 114 | 149 | 187 | 121 | 124 | 139 | 97 | 87 |
| Anchorage #17 | 317 | 58 | 115 | 127 | 200 | 105 | 176 | 147 | 101 | 88 |
| Anchorage #18 | 410 | 49 | 103 | 108 | 222 | 92 | 202 | 196 | 173 | 109 |
| Anchorage #20 | 283 | 23 | 52 | 70 | 178 | 64 | 160 | 164 | 137 | 46 |
| Anchorage #21 | 294 | 38 | 84 | 97 | 174 | 80 | 132 | 144 | 84 | 71 |
| Anchorage #25 | 463 | 101 | 164 | 206 | 262 | 177 | 219 | 205 | 134 | 176 |
| Anchorage #30 | 406 | 66 | 131 | 131 | 239 | 168 | 175 | 206 | 114 | 122 |
| SUBTOTAL | 5874 | 1064 | 1930 | 2338 | 3399 | 1950 | 2724 | 2730 | 1812 | 1615 |
| Absentee and Questioned | 477 | 155 | 208 | 254 | 318 | 141 | 249 | 257 | 164 | 152 |
| DISTRICT 7 TOTALS | <u>6351</u> | <u>1219</u> | <u>2138</u> | <u>2592</u> | <u>3717</u> | <u>2091</u> | <u>2973</u> | <u>2987</u> | <u>1976</u> | <u>1767</u> |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Armstrong (R)</u> | <u>Bradley (D)</u> | <u>Cotten (D)</u> | <u>Kallenberg (R)</u> | <u>Kelley (D)</u> | <u>Kelly (R)</u> | <u>Phillips (R)</u> | <u>Sullivan (D)</u> |
|---------------------------------------|---------------------------------|----------------------|--------------------|-------------------|-----------------------|-------------------|------------------|---------------------|---------------------|
| <u>District 8</u> | | | | | | | | | |
| Anchorage #27 | 495 | 104 | 311 | 233 | 109 | 228 | 131 | 108 | 264 |
| Anchorage #28 | 485 | 109 | 308 | 241 | 121 | 220 | 126 | 126 | 262 |
| Anchorage #29 | 457 | 112 | 281 | 230 | 127 | 191 | 158 | 155 | 216 |
| Anchorage #31 | 216 | 53 | 116 | 102 | 54 | 80 | 61 | 79 | 107 |
| Anchorage #34 | 237 | 94 | 117 | 92 | 73 | 92 | 100 | 89 | 115 |
| Gr Anch Boro #139 | 498 | 155 | 301 | 321 | 134 | 242 | 201 | 146 | 246 |
| Gr Anch Boro #142 | 528 | 139 | 298 | 239 | 132 | 252 | 205 | 184 | 268 |
| Gr Anch Boro #143 | 496 | 151 | 297 | 225 | 150 | 224 | 180 | 169 | 246 |
| Gr Anch Boro #144 | 593 | 180 | 318 | 261 | 201 | 257 | 276 | 224 | 281 |
| Gr Anch Boro #147 | 667 | 168 | 349 | 346 | 309 | 264 | 240 | 278 | 286 |
| Gr Anch Boro #148 | 669 | 160 | 278 | 332 | 302 | 231 | 188 | 306 | 291 |
| Gr Anch Boro #149 | 376 | 76 | 169 | 184 | 212 | 112 | 95 | 133 | 149 |
| Gr Anch Boro #150 | 444 | 92 | 219 | 234 | 262 | 157 | 143 | 168 | 201 |
| Gr Anch Boro #151 | 304 | 76 | 135 | 149 | 165 | 104 | 88 | 111 | 131 |
| SUBTOTAL | 6465 | 1669 | 3497 | 3195 | 2351 | 2654 | 2192 | 2276 | 3063 |
| Abs tee and Questioned | 330 | 134 | 222 | 218 | 188 | 193 | 148 | 157 | 234 |
| DISTRICT 8 TOTALS | <u>6795</u> | <u>1803</u> | <u>3719</u> | <u>3413</u> | <u>2539</u> | <u>2847</u> | <u>2340</u> | <u>2433</u> | <u>3297</u> |

| <u>District 9</u> | | <u>Buchholdt (D)</u> | <u>Garrett (R)</u> | <u>McKinnon (D)</u> | <u>Weiss (R)</u> |
|--------------------------|-------------|----------------------|--------------------|---------------------|------------------|
| Anchorage #3A | 226 | 104 | 78 | 120 | 63 |
| Gr Anch Boro #101 | 390 | 208 | 111 | 219 | 118 |
| Gr Anch Boro #102 | 487 | 256 | 138 | 247 | 177 |
| Gr Anch Boro #103 | 431 | 228 | 126 | 239 | 159 |
| Gr Anch Boro #104 | 146 | 82 | 44 | 70 | 51 |
| Gr Anch Boro #105 | 285 | 153 | 73 | 166 | 104 |
| Gr Anch Boro #106 | 197 | 104 | 45 | 106 | 53 |
| Gr Anch Boro #107 | 500 | 263 | 165 | 277 | 156 |
| Gr Anch Boro #108 | 253 | 117 | 84 | 133 | 96 |
| Gr Anch Boro #109 | 423 | 220 | 150 | 239 | 129 |
| Gr Anch Boro #110 | 606 | 269 | 197 | 299 | 261 |
| SUBTOTAL | 3944 | 2004 | 1211 | 2115 | 1367 |
| Absentee and Questioned | 182 | 133 | 67 | 139 | 88 |
| DISTRICT 9 TOTALS | <u>4126</u> | <u>2137</u> | <u>1278</u> | <u>2254</u> | <u>1455</u> |

| <u>District 10</u> | | <u>Call (R)</u> | <u>Smith (D)</u> | <u>Tomco (D)</u> | <u>Orion (R)</u> |
|---------------------------|-------------|-----------------|------------------|------------------|------------------|
| Anchorage #12A | 342 | 124 | 179 | 144 | 165 |
| Anchorage #52 | 556 | 225 | 292 | 232 | 234 |
| Anchorage #22A | 762 | 347 | 274 | 309 | 429 |
| Anchorage #23 | 495 | 128 | 285 | 208 | 205 |
| Anchorage #24 | 545 | 162 | 306 | 225 | 236 |
| Anchorage #32 | 881 | 422 | 437 | 284 | 411 |
| Anchorage #33 | 728 | 257 | 408 | 230 | 354 |
| Gr Anch Boro #135 | 456 | 157 | 226 | 185 | 213 |
| Gr Anch Boro #137 | 291 | 72 | 141 | 154 | 137 |
| Gr Anch Boro #138 | 636 | 355 | 291 | 204 | 280 |
| Gr Anch Boro #139A | 325 | 84 | 176 | 139 | 124 |
| Gr Anch Boro #140 | 426 | 183 | 206 | 163 | 210 |
| Gr Anch Boro #141 | 778 | 382 | 337 | 287 | 354 |
| Gr Anch Boro #145 | 244 | 57 | 140 | 103 | 120 |
| SUBTOTAL | 7455 | 2955 | 3698 | 2867 | 3472 |
| Absentee and Questioned | 425 | 194 | 204 | 196 | 246 |
| DISTRICT 10 TOTALS | <u>7880</u> | <u>3149</u> | <u>3902</u> | <u>3063</u> | <u>3718</u> |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Beirne (R)</u> | <u>Howman (D)</u> | <u>Garrigues (D)</u> | <u>Schacle (R)</u> |
|---|---|------------------------|-----------------------|----------------------------|-------------------------|
| <u>District 11</u> | | | | | |
| Gr Anch Boro #117 | 325 | 148 | 174 | 107 | 129 |
| Gr Anch Boro #118 | 706 | 281 | 363 | 255 | 322 |
| Gr Anch Boro #122 | 670 | 327 | 356 | 193 | 281 |
| Gr Anch Boro #123 | 436 | 182 | 233 | 136 | 179 |
| Gr Anch Boro #125 | 100 | 37 | 74 | 44 | 15 |
| Gr Anch Boro #126 | 137 | 61 | 66 | 37 | 28 |
| Gr Anch Boro #127 | 429 | 213 | 240 | 109 | 198 |
| Gr Anch Boro #128 | 678 | 297 | 357 | 213 | 289 |
| Gr Anch Boro #129 | 1025 | 578 | 563 | 244 | 422 |
| Gr Anch Boro #130 | 408 | 180 | 249 | 108 | 165 |
| Gr Anch Boro #131 | 646 | 338 | 339 | 171 | 303 |
| Gr Anch Boro #132 | 623 | 217 | 320 | 247 | 257 |
| Gr Anch Boro #134 | 762 | 385 | 406 | 218 | 338 |
| Gr Anch Boro #136 | 548 | 239 | 295 | 212 | 220 |
| SUBTOTAL | 7493 | 3483 | 4039 | 2294 | 3146 |
| Absentee and Questioned | 393 | 277 | 314 | 185 | 244 |
| DISTRICT 11 TOTALS | 7886 | 3760 | 4353 | 2479 | 3390 |
| | | <u>Fischer (D)</u> | <u>Flint (R)</u> | <u>Hershberger (R)</u> | <u>Milne (D)</u> |
| <u>District 12</u> | | | | | |
| Anchorage #1 | 590 | 305 | 331 | 285 | 141 |
| Anchorage #2 | 550 | 269 | 311 | 290 | 118 |
| Anchorage #3 | 404 | 248 | 196 | 192 | 78 |
| Anchorage #5 | 762 | 387 | 352 | 391 | 185 |
| Anchorage #7 | 295 | 140 | 103 | 123 | 96 |
| Gr Anch Boro #111 | 508 | 289 | 219 | 307 | 128 |
| Gr Anch Boro #113 | 679 | 381 | 265 | 365 | 159 |
| Gr Anch Boro #114 | 384 | 213 | 134 | 202 | 119 |
| Gr Anch Boro #116 | 669 | 418 | 224 | 245 | 241 |
| Gr Anch Boro #119 | 969 | 547 | 401 | 482 | 255 |
| Gr Anch Boro #120 | 420 | 241 | 152 | 201 | 141 |
| Gr Anch Boro #121 | 1046 | 577 | 394 | 459 | 312 |
| SUBTOTAL | 7276 | 4015 | 3082 | 3562 | 1975 |
| Absentee and Questioned | 466 | 265 | 222 | 266 | 128 |
| DISTRICT 12 TOTALS | 7742 | 4280 | 3304 | 3828 | 2103 |
| | | <u>Malono (D)</u> | <u>Schade (D)</u> | <u>Tillion (R)</u> | <u>Westphal (R)</u> |
| <u>District 13</u> | | | | | |
| Anchor Point | 201 | 91 | 41 | 129 | 84 |
| Diamond Ridge | 41 | 34 | 11 | 24 | 10 |
| English Bay | 12 | 28 | 23 | 7 | 6 |
| Fritz Creek | 199 | 103 | 79 | 116 | 43 |
| Halibut Cove (Absentee) | | | | | |
| Homor | 525 | 277 | 136 | 357 | 130 |
| Kallfonsky | 280 | 176 | 100 | 157 | 94 |
| Konrad #1 | 433 | 310 | 138 | 231 | 107 |
| Konrad #2 | 429 | 315 | 111 | 221 | 123 |
| Konrad #3 | 199 | 148 | 76 | 93 | 42 |
| Nikiski #1 | 221 | 161 | 57 | 116 | 58 |
| Nikiski #2 | 424 | 314 | 158 | 187 | 101 |
| Nimblelik | 142 | 92 | 51 | 51 | 47 |
| Port Graham | 51 | 38 | 15 | 35 | 6 |
| Ridgeway | 317 | 202 | 100 | 169 | 161 |
| Selkovia | 120 | 72 | 41 | 69 | 32 |
| Soldotna | 446 | 270 | 167 | 246 | 136 |
| Sterling | 247 | 132 | 79 | 152 | 99 |
| Tustumena | 231 | 131 | 91 | 124 | 69 |
| Tyonek | 52 | 38 | 26 | 16 | 8 |
| SUBTOTAL | 4570 | 2934 | 1500 | 2500 | 1286 |
| Absentee | 496 | 293 | 131 | 300 | 152 |
| Questioned | | 69 | 37 | 58 | 26 |
| DISTRICT 13 TOTALS | 5066 | 3296 | 1668 | 2858 | 1464 |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Craig (I)</u> | <u>Naughton (D)</u> | <u>Wood (R)</u> |
|---|---|----------------------|-------------------------|---------------------|
| District 14 | | | | |
| Cape Chiniak | 70 | 20 | 33 | 16 |
| Coast Guard Base | 93 | 46 | 29 | 11 |
| Kodiak #1 | 293 | 97 | 142 | 40 |
| Kodiak #2 | 300 | 85 | 141 | 53 |
| Kodiak #3 | 322 | 100 | 156 | 43 |
| Mission Road | 374 | 105 | 181 | 60 |
| Ouzinkie | 60 | 8 | 36 | 15 |
| SUBTOTAL | <u>1512</u> | <u>461</u> | <u>718</u> | <u>238</u> |
| Absentee | 152 | 29 | 77 | 32 |
| Questioned | | 10 | 18 | 7 |
| DISTRICT 14 TOTALS | <u>1664</u> | <u>500</u> | <u>813</u> | <u>277</u> |

Laktonen
(R) Osterback
(D)

District 15

| | | | |
|----------------------------|--------------------|-------------------|-------------------|
| Adak | 94 | 40 | 40 |
| Akutan | 35 | 7 | 27 |
| Allak | 20 | 7 | 13 |
| Atka | 15 | 1 | 14 |
| Belkofski (Absentee) | | | |
| Chignik | 23 | 3 | 19 |
| Chignik Lagoon (Absentee) | | | |
| Chignik Lake | 35 | 16 | 17 |
| Cold Bay | 59 | 22 | 32 |
| False Pass (Absentee) | | | |
| Ivanof Bay | 10 | 1 | 7 |
| Karluk | 33 | 16 | 17 |
| King Cove | 66 | 6 | 55 |
| Larsen Bay | 34 | 27 | 6 |
| Nelson Lagoon (Absentee) | | | |
| Nikolski | 27 | 2 | 24 |
| Old Harbor | 61 | 19 | 40 |
| Pauloff Harbor (Abandoned) | | | |
| Perryville | 44 | 14 | 25 |
| Port Lions | 63 | 30 | 32 |
| Sand Point | 128 | 25 | 92 |
| Squaw Harbor | 18 | 5 | 11 |
| St. George | 47 | 16 | 31 |
| St. Paul | 122 | 16 | 98 |
| Tigantik Bay (Unreported) | | | |
| Unalaska | 86 | 27 | 49 |
| SUBTOTAL | <u>1020</u> | <u>300</u> | <u>649</u> |
| Absentee | 95 | 29 | 48 |
| Questioned | | 7 | 4 |
| DISTRICT 15 TOTALS | <u>1115</u> | <u>336</u> | <u>701</u> |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Anderson (D)</u> | <u>McGill (Write-in)</u> |
|---|---|-------------------------|------------------------------|
| <u>District 16</u> | | | |
| Aleknagik | 46 | 18 | 21 |
| Clark's Point | 34 | 12 | 21 |
| Dillingham | 354 | 72 | 233 |
| Egegik | 37 | 29 | 3 |
| Ekwok | 40 | 21 | 18 |
| Goodnews | 35 | 14 | 21 |
| Hanna (New Haven) | 63 | 36 | 11 |
| Kakhonak Bay | 43 | 35 | 4 |
| King Salmon | 97 | 48 | 27 |
| Kipnuk | 100 | 58 | 42 |
| Kolliganek | 42 | 16 | 24 |
| Kongiganak | 68 | 63 | 4 |
| Kwigillingok | 42 | 7 | 35 |
| Levelock | 25 | 16 | 2 |
| Marokotak | 78 | 38 | 34 |
| Naknek | 116 | 69 | 44 |
| New Stuyahok | 82 | 48 | 25 |
| Nondalton | 60 | 32 | 8 |
| Ohgsonokale | 22 | 15 | 3 |
| Pedro Bay | 13 | 7 | 6 |
| Pilot Point (Absentee) | | | |
| Platinum | 19 | 14 | 3 |
| Port Heiden | 40 | 15 | 13 |
| Quinhagak | 140 | 38 | 70 |
| South Naknek | 41 | 26 | 13 |
| Togiak | 113 | 41 | 68 |
| SUBTOTAL | 1710 | 788 | 753 |
| Absentee | 138 | 73 | 42 |
| Questioned | | 19 | 10 |
| DISTRICT 16 TOTALS | 1848 | 880 | 805 |

| <u>District 17</u> | | <u>Guy (D)</u> | <u>Shavings (R)</u> |
|---------------------------|-------------|--------------------|-------------------------|
| Aknehak | 98 | 77 | 15 |
| Aklak | 54 | 26 | 20 |
| Aniak | 74 | 42 | 17 |
| Ambuluk | 52 | 21 | 31 |
| Bethel #1 | 381 | 144 | 72 |
| Bethel #2 | 342 | 214 | 82 |
| Cheforuk | 69 | 13 | 54 |
| Eek | 62 | 24 | 34 |
| Kalskog | 46 | 22 | 8 |
| Kasigluk | 97 | 75 | 18 |
| Kwethluk | 137 | 117 | 9 |
| Lower Kalskog | 46 | 43 | 3 |
| Napakiak | 83 | 56 | 12 |
| Napakiak | 42 | 36 | 6 |
| Newtok | 45 | 7 | 34 |
| Nightmute | 38 | 9 | 29 |
| Sunapitchuk | 103 | 56 | 36 |
| Sunavik Island | 70 | 26 | 28 |
| Syne (Absentee) | | | |
| Upernivik | 13 | 13 | 0 |
| Upernivik | 94 | 19 | 70 |
| Uksuek Bay | 86 | 23 | 60 |
| Uluksuk | 58 | 41 | 17 |
| Upernivik | 60 | 30 | 29 |
| SUBTOTAL | 2150 | 1234 | 684 |
| Absentee | 159 | 99 | 38 |
| Questioned | | 70 | 46 |
| DISTRICT 17 TOTALS | 2309 | 1403 | 768 |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Huntington (R)</u> | <u>Moore (D)</u> |
|---|---|---------------------------|----------------------|
| <u>District 18</u> | | | |
| Alakanuk | 90 | 34 | 42 |
| Anvik | 30 | 16 | 3 |
| Chevak | 97 | 34 | 58 |
| Chuuthbuluk | 34 | | |
| Crooked Creek | 24 | | |
| Emmonak | 112 | 10 | 84 |
| Flat (Absentee) | | | |
| Fortuna Ledge | 51 | 3 | 6 |
| Galena | 103 | 51 | 1 |
| Grayling | 47 | 38 | 2 |
| Holy Cross | 71 | 52 | 6 |
| Hooper Bay | 138 | 29 | 101 |
| Hughes | 24 | 17 | 0 |
| Huslia | 44 | 36 | 0 |
| Kallag | 45 | 19 | 1 |
| Koyukuk | 24 | 1 | 0 |
| McGrath | 96 | 10 | 2 |
| Mountain Village | 101 | 31 | 51 |
| Nikolai | 30 | 15 | 0 |
| Nulato | 78 | 58 | 6 |
| Pilot Station | 49 | 3 | 28 |
| Pitkas Point | 16 | 4 | 7 |
| Red Devil (Absentee) | | | |
| Ruby | 45 | 32 | 0 |
| Russian Mission | 46 | 26 | 9 |
| St. Mary's | 100 | 12 | 26 |
| Summon Bay | 48 | 0 | 29 |
| Shugeluk | 28 | 9 | 0 |
| Sheldon Point | 18 | 0 | 13 |
| Sleetmute | 21 | 3 | 0 |
| Stony River (Absentee) | | | |
| SUBTOTAL | <u>1610</u> | <u>543</u> | <u>475</u> |
| Absentee | 126 | 24 | 14 |
| Questioned | | 21 | 7 |
| DISTRICT 18 TOTALS | <u><u>1736</u></u> | <u><u>*588</u></u> | <u><u>*496</u></u> |

*An official recount of the ballots cast in District 18 House of Representatives race showed the following totals to be correct:

| Huntington (R) | Moore (D) |
|-------------------|--------------|
| <u>594</u> | <u>500</u> |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Swanson (D)</u> | <u>Wilson (R)</u> |
|---|---|------------------------|-----------------------|
| District 19 | | | |
| Alatna | 53 | 8 | 8 |
| Anderson | 130 | 76 | 42 |
| Arctic Village | 39 | 19 | 10 |
| Beaver | 26 | 4 | 2 |
| Bettles | 29 | 7 | 13 |
| Big Delta | 390 | 204 | 161 |
| Cartwell | 56 | 30 | 11 |
| Chalkyitsik | 28 | 4 | 1 |
| Chicken (Absentee) | | | |
| Chistochina | 95 | 62 | 14 |
| Circle | 28 | 21 | 4 |
| Clear | 138 | 82 | 45 |
| Dot Lake | 26 | 12 | 7 |
| Eagle | 61 | 27 | 31 |
| Fort Yukon | 186 | 48 | 3 |
| Gakona | 79 | 52 | 20 |
| Healy | 103 | 50 | 17 |
| Lake Minchumina (Absentee) | | | |
| Lakeview | 18 | 5 | 11 |
| Manley Hot Springs | 36 | 14 | 18 |
| McKinley Park | 41 | 13 | 24 |
| Minto | 51 | 24 | 12 |
| Nenana | 210 | 117 | 40 |
| Northway | 55 | 22 | 29 |
| Faxson | 53 | 18 | 8 |
| Rampart | 18 | 7 | 4 |
| Stevens Village | 21 | 4 | 1 |
| Suntrana | 77 | 63 | 7 |
| Tanacross | 42 | 19 | 4 |
| Tanana | 124 | 57 | 34 |
| Tetlin | 59 | 42 | 10 |
| Tok | 214 | 57 | 132 |
| Venetie | 41 | 19 | 18 |
| SUBTOTAL | 2527 | 1217 | 741 |
| Absentee | 291 | 131 | 89 |
| Questioned | | 46 | 26 |
| DISTRICT 19 TOTALS | <u>2818</u> | <u>1394</u> | <u>856</u> |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Barnes (R)</u> | <u>Bennett (R)</u> | <u>Bradner (D)</u> | <u>Brown (D)</u> | <u>Cowper (D)</u> | <u>Hackney (R)</u> | <u>Jensen (R)</u> | <u>Joiner (R)</u> | <u>Orbeck (D)</u> |
|---|---|-----------------------|------------------------|------------------------|----------------------|-----------------------|------------------------|-----------------------|-----------------------|-----------------------|
| <u>District 20</u> | | | | | | | | | | |
| Aurora | 457 | 176 | 153 | 268 | 196 | 225 | 249 | 169 | 114 | 210 |
| Badger Road #1 | 325 | 117 | 109 | 197 | 122 | 139 | 179 | 118 | 64 | 161 |
| Badger Road #2 | 270 | 109 | 87 | 167 | 123 | 128 | 145 | 92 | 69 | 124 |
| Big Bend | 288 | 84 | 84 | 182 | 120 | 152 | 142 | 94 | 47 | 156 |
| Central House (Absentee) | | | | | | | | | | |
| Chatanika (Absentee) | | | | | | | | | | |
| Chena | 595 | 180 | 145 | 355 | 250 | 342 | 241 | 163 | 103 | 201 |
| Eielson | 158 | 59 | 44 | 108 | 65 | 80 | 76 | 59 | 43 | 73 |
| Ester | 183 | 56 | 42 | 117 | 82 | 106 | 85 | 50 | 39 | 69 |
| Fairbanks #1 | 300 | 96 | 93 | 180 | 110 | 147 | 156 | 116 | 55 | 168 |
| Fairbanks #2 | 239 | 60 | 66 | 140 | 108 | 115 | 112 | 75 | 42 | 133 |
| Fairbanks #3 | 283 | 68 | 64 | 163 | 113 | 112 | 116 | 83 | 39 | 134 |
| Fairbanks #4 | 238 | 90 | 71 | 151 | 104 | 132 | 125 | 96 | 47 | 117 |
| Fairbanks #5 | 295 | 109 | 69 | 166 | 114 | 140 | 133 | 91 | 53 | 141 |
| Fairbanks #6 | 247 | 78 | 58 | 216 | 156 | 174 | 141 | 85 | 43 | 169 |
| Fairbanks #7 | 277 | 87 | 69 | 168 | 120 | 130 | 137 | 86 | 42 | 161 |
| Fairbanks #8 | 252 | 103 | 62 | 156 | 108 | 123 | 122 | 76 | 59 | 109 |
| Fairbanks #9 | 241 | 123 | 85 | 125 | 71 | 91 | 166 | 105 | 64 | 128 |
| Fairbanks #10 | 304 | 98 | 80 | 172 | 139 | 134 | 143 | 107 | 53 | 127 |
| Fairbanks #11 | 223 | 92 | 59 | 142 | 104 | 118 | 101 | 72 | 38 | 119 |
| Fairbanks #12 | 354 | 132 | 108 | 218 | 139 | 162 | 195 | 125 | 74 | 180 |
| Fairbanks #13 | 458 | 204 | 162 | 272 | 155 | 238 | 266 | 181 | 103 | 194 |
| Fairbanks #14 | 374 | 159 | 120 | 196 | 130 | 166 | 226 | 123 | 74 | 226 |
| Fairbanks #15 | 280 | 94 | 80 | 189 | 130 | 134 | 133 | 93 | 61 | 147 |
| Fairbanks #16 | 333 | 127 | 101 | 174 | 115 | 146 | 196 | 122 | 73 | 158 |
| Fairbanks Pioneers Home | 34 | 9 | 5 | 15 | 11 | 8 | 11 | 16 | 5 | 18 |
| Farmer Loop | 339 | 95 | 82 | 247 | 158 | 191 | 160 | 90 | 57 | 129 |
| Port Greeley (Absentee) | | | | | | | | | | |
| Fort Walshwright | 95 | 38 | 28 | 45 | 28 | 44 | 45 | 35 | 30 | 28 |
| Fox | 128 | 44 | 57 | 65 | 53 | 54 | 68 | 35 | 20 | 42 |
| Geld | 481 | 191 | 148 | 292 | 183 | 243 | 270 | 171 | 104 | 184 |
| Gracht-Derby | 192 | 57 | 35 | 110 | 74 | 100 | 82 | 52 | 13 | 78 |
| International Airport #1 | 238 | 72 | 71 | 131 | 95 | 111 | 99 | 88 | 40 | 114 |
| International Airport #2 | 217 | 94 | 62 | 117 | 62 | 96 | 126 | 81 | 46 | 98 |
| Johnston-Westwood | 159 | 49 | 51 | 89 | 64 | 72 | 85 | 65 | 34 | 72 |
| Lemeta | 260 | 83 | 89 | 178 | 124 | 127 | 125 | 88 | 39 | 123 |
| North Lemeta | 100 | 38 | 18 | 72 | 44 | 47 | 50 | 31 | 20 | 47 |
| North Pole | 553 | 179 | 157 | 359 | 233 | 312 | 271 | 197 | 142 | 262 |
| Saleha | 154 | 59 | 45 | 85 | 64 | 71 | 78 | 70 | 39 | 73 |
| Shanley Totem | 344 | 120 | 104 | 206 | 155 | 180 | 178 | 109 | 88 | 125 |
| Steese East | 602 | 202 | 211 | 364 | 242 | 306 | 334 | 212 | 155 | 246 |
| Steese West | 457 | 178 | 162 | 281 | 173 | 243 | 276 | 165 | 103 | 206 |
| Two Rivers | 96 | 44 | 34 | 57 | 32 | 45 | 59 | 38 | 28 | 38 |
| University Campus | 777 | 213 | 158 | 437 | 278 | 401 | 244 | 188 | 114 | 208 |
| SUBTOTAL | 12300 | 4266 | 3528 | 7372 | 4947 | 6085 | 6146 | 4112 | 2476 | 5496 |
| Absentee | 927 | 293 | 250 | 520 | 293 | 390 | 413 | 325 | 166 | 429 |
| Questioned | | 202 | 134 | 426 | 279 | 369 | 252 | 180 | 110 | 255 |
| DISTRICT 20 TOTALS | 13227 | 4761 | 3912 | 8320 | 5519 | 6844 | 6811 | 4617 | 2761 | 6180 |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Parr (D)</u> | <u>Voight (AI)</u> | <u>Wallis (D)</u> | <u>Wood (R)</u> |
|---|---|---------------------|------------------------|-----------------------|---------------------|
| <u>District 20</u> | | | | | |
| Aurora | 457 | 204 | 93 | 175 | 161 |
| Badger Road #1 | 325 | 155 | 78 | 127 | 106 |
| Badger Road #2 | 270 | 133 | 78 | 94 | 76 |
| Big Bend | 288 | 132 | 71 | 112 | 89 |
| Central House (Absentee) | | | | | |
| Chatanika (Absentee) | | | | | |
| Chena | 595 | 319 | 86 | 211 | 152 |
| Eielson | 158 | 66 | 27 | 75 | 41 |
| Ester | 183 | 103 | 32 | 64 | 46 |
| Fairbanks #1 | 300 | 135 | 76 | 132 | 76 |
| Fairbanks #2 | 239 | 116 | 52 | 98 | 55 |
| Fairbanks #3 | 283 | 106 | 48 | 112 | 66 |
| Fairbanks #4 | 238 | 96 | 44 | 97 | 64 |
| Fairbanks #5 | 295 | 129 | 39 | 98 | 69 |
| Fairbanks #6 | 347 | 166 | 42 | 165 | 70 |
| Fairbanks #7 | 277 | 129 | 47 | 116 | 88 |
| Fairbanks #8 | 252 | 117 | 45 | 106 | 73 |
| Fairbanks #9 | 241 | 72 | 39 | 65 | 100 |
| Fairbanks #10 | 304 | 132 | 49 | 113 | 94 |
| Fairbanks #11 | 223 | 122 | 42 | 83 | 62 |
| Fairbanks #12 | 354 | 160 | 73 | 127 | 99 |
| Fairbanks #13 | 458 | 198 | 74 | 180 | 145 |
| Fairbanks #14 | 374 | 166 | 54 | 130 | 130 |
| Fairbanks #15 | 280 | 151 | 56 | 120 | 85 |
| Fairbanks #16 | 313 | 114 | 63 | 100 | 116 |
| Fairbanks Pioneers Home | 34 | 8 | 3 | 10 | 4 |
| Farmers Loop | 339 | 203 | 50 | 140 | 86 |
| Fort Greeley (Absentee) | | | | | |
| Fort Wainwright | 95 | 30 | 12 | 36 | 31 |
| Fox | 128 | 56 | 49 | 37 | 31 |
| Gebst | 481 | 231 | 65 | 159 | 140 |
| Grochl Derby | 192 | 91 | 36 | 66 | 37 |
| International Airport #1 | 238 | 95 | 59 | 92 | 50 |
| International Airport #2 | 217 | 92 | 49 | 70 | 73 |
| Johnston-Westwood | 159 | 70 | 38 | 73 | 48 |
| Leneta | 260 | 119 | 56 | 110 | 74 |
| North Leneta | 100 | 39 | 23 | 40 | 20 |
| North Pole | 553 | 283 | 118 | 232 | 142 |
| Suleha | 154 | 67 | 42 | 55 | 54 |
| Shanley-Totem | 344 | 179 | 63 | 131 | 99 |
| Steele East | 602 | 309 | 129 | 207 | 181 |
| Steele West | 457 | 233 | 85 | 160 | 151 |
| Two Rivers | 96 | 35 | 37 | 23 | 33 |
| University Campus | 777 | 364 | 81 | 235 | 176 |
| SUBTOTAL | 12300 | 5725 | 2303 | 4576 | 3501 |
| Absentee | 927 | 367 | 189 | 323 | 249 |
| Questioned | | 310 | 92 | 281 | 147 |
| DISTRICT 20 TOTALS | 13227 | 6402 | 2584 | 5180 | 3897 |

STATE REPRESENTATIVE

| <u>Election District and Precinct</u> | <u>Number Of Persons Voting</u> | <u>Itta (D)</u> |
|---|---|---------------------|
| <u>District 21</u> | | |
| Ambler | 49 | 41 |
| Anaktuvuk Pass | 46 | 45 |
| Atkasook (Absentee) | | |
| Barrow | 338 | 29 |
| Barter Island | 41 | 38 |
| Hornite-Kobuk | 26 | 23 |
| Browerville | 88 | 56 |
| Kimna | 80 | 67 |
| Kivalina | 68 | 67 |
| Kotzebue | 509 | 369 |
| Nontak | 64 | 59 |
| Noorvik | 142 | 106 |
| Nulqsut | 35 | 35 |
| Point Hope | 93 | 71 |
| Point Lay | 14 | 11 |
| Shungnak | 54 | 54 |
| Wainwright | 97 | 88 |
| SUBTOTAL | 1744 | 1423 |
| Absentee | 108 | 80 |
| Questioned | | 54 |
| DISTRICT 21 TOTALS | <u>1852</u> | <u>1557</u> |

| | | <u>Davis (D)</u> |
|---------------------------|-----------------|----------------------|
| <u>District 22</u> | | |
| Brevig Mission | 22 | 13 |
| Buckland | 53 | 38 |
| Candle (Absentee) | | |
| Deering | 34 | 19 |
| Dionede Island | 43 | 38 |
| Elin | 68 | 59 |
| Gambell | 115 | 94 |
| Golovin | 39 | 31 |
| Kotlik | 75 | 50 |
| Koyuk | 45 | 34 |
| Nome #1 | 392 | 257 |
| Nome #2 | 415 | 301 |
| Northeast Cape (Absentee) | | |
| Savoonga | 132 | 116 |
| Selawik | 127 | 83 |
| Shaktolik | 32 | 30 |
| Shushmaref | 91 | 77 |
| Stebbins | 62 | 49 |
| St. Michael | 60 | 50 |
| Teller | 57 | 43 |
| Uktakloet | 160 | 120 |
| Wales | 47 | 42 |
| White Mountain | 33 | 24 |
| SUBTOTAL | 2102 | 1568 |
| Absentee | 139 | 105 |
| Questioned | | 102 |
| DISTRICT 22 TOTALS | <u>2241</u> | <u>1775</u> |

SUPREME COURT

| <u>Election Districts</u> | <u>Number Of Persons Voters</u> | <u>Erwin</u> | |
|---------------------------|---|--------------|--------------|
| | | <u>Yes</u> | <u>No</u> |
| <u>STATEWIDE</u> | | | |
| District 1 | 4612 | 3059 | 919 |
| District 2 | 2213 | 1343 | 549 |
| District 3 | 2699 | 1608 | 706 |
| District 4 | 8052 | 4485 | 2089 |
| District 5 | 2875 | 1524 | 925 |
| District 6 | 3451 | 1691 | 1140 |
| District 7 | 6351 | 3460 | 1687 |
| District 8 | 6795 | 3349 | 2119 |
| District 9 | 4126 | 2217 | 1139 |
| District 10 | 7880 | 4467 | 2117 |
| District 11 | 7886 | 4190 | 2260 |
| District 12 | 7741 | 4479 | 1879 |
| District 13 | 5066 | 2411 | 1758 |
| District 14 | 1664 | 1036 | 390 |
| District 15 | 1115 | 719 | 311 |
| District 16 | 1848 | 1080 | 557 |
| District 17 | 2309 | 1553 | 567 |
| District 18 | 1736 | 1125 | 431 |
| District 19 | 2818 | 1416 | 954 |
| District 20 | 13227 | 7105 | 2996 |
| District 21 | 1852 | 1174 | 425 |
| District 22 | <u>2,411</u> | <u>1416</u> | <u>542</u> |
| STATEWIDE TOTALS | <u>98557</u> | <u>54907</u> | <u>26460</u> |

SUPERIOR COURT

| Election Districts | Number Of Persons Voting | Carlson | |
|--------------------------|--------------------------------|---------------------|--------------------|
| | | Yes | No |
| District 1 | 4612 | 3140 | 847 |
| District 2 | 2213 | 1424 | 476 |
| District 3 | 2699 | 1890 | 558 |
| District 4 | 8052 | 4923 | 1773 |
| TOTAL JUDICIAL #1 | <u>17576</u> | <u>11377</u> | <u>3654</u> |

| | | Sanders | |
|--------------------------|--------------------|--------------------|-------------------|
| | | Yes | No |
| District 18 | 1736 | 686 | 167 |
| District 21 | 1852 | 1426 | 251 |
| District 22 | 2241 | 1748 | 320 |
| TOTAL JUDICIAL #2 | <u>5829</u> | <u>3860</u> | <u>738</u> |

| | | Burke | | Hanson | | Singleton | |
|--------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| | | Yes | No | Yes | No | Yes | No |
| District 5 | 2875 | 1492 | 839 | 1467 | 827 | 1394 | 843 |
| District 6 | 3451 | 1776 | 1028 | 1745 | 953 | 1734 | 951 |
| District 7 | 6351 | 3579 | 1554 | 3482 | 1431 | 3504 | 1435 |
| District 8 | 6795 | 3499 | 2006 | 3612 | 1728 | 3611 | 1722 |
| District 9 | 4126 | 2273 | 1089 | 2317 | 966 | 2343 | 923 |
| District 10 | 7880 | 4509 | 2063 | 4587 | 1794 | 4702 | 1704 |
| District 11 | 7886 | 4278 | 2176 | 4380 | 1899 | 4476 | 1861 |
| District 12 | 7741 | 4499 | 1855 | 4511 | 1641 | 4637 | 1532 |
| District 13 | 5066 | 2444 | 1633 | 2890 | 1556 | 2421 | 1530 |
| District 14 | 1664 | 1201 | 275 | 1025 | 321 | 1014 | 324 |
| District 15 | 1115 | 726 | 279 | 718 | 263 | 652 | 321 |
| District 16 | 1848 | 803 | 381 | 759 | 411 | 712 | 435 |
| District 19 | 2818 | 77 | 92 | 62 | 96 | 66 | 92 |
| TOTAL JUDICIAL #3 | <u>59616</u> | <u>31156</u> | <u>15268</u> | <u>31555</u> | <u>13886</u> | <u>31266</u> | <u>13673</u> |

| | | Taylor | | Vanloominssen | |
|--------------------------|---------------------|---------------------|--------------------|---------------------|--------------------|
| | | Yes | No | Yes | No |
| District 16 | 1848 | 285 | 95 | 253 | 119 |
| District 17 | 2309 | 1577 | 493 | 1315 | 670 |
| District 18 | 1736 | 522 | 159 | 405 | 207 |
| District 19 | 2818 | 1577 | 627 | 1323 | 709 |
| District 20 | 13227 | 8408 | 2395 | 8421 | 2383 |
| TOTAL JUDICIAL #4 | <u>21938</u> | <u>22369</u> | <u>3769</u> | <u>11717</u> | <u>4088</u> |

DISTRICT COURT

| Election Districts | Number Of Persons Voting | Keene | |
|--------------------------|--------------------------------|---------------------|--------------------|
| | | Yes | No |
| District 1 | 4612 | 3341 | 1088 |
| District 2 | 2213 | 1493 | 410 |
| District 3 | 2699 | 1765 | 538 |
| District 4 | 8052 | 4672 | 1779 |
| TOTAL JUDICIAL #1 | <u>17576</u> | <u>11271</u> | <u>3815</u> |

| | | Windahl | |
|--------------------------|--------------------|--------------------|-------------------|
| | | Yes | No |
| District 18 | 1736 | 672 | 175 |
| District 21 | 1852 | 1293 | 286 |
| District 22 | 2241 | 1699 | 296 |
| TOTAL JUDICIAL #2 | <u>5829</u> | <u>3664</u> | <u>757</u> |

| Election Districts | | Brewer | | Tucker | | Tyner | | Vochoska | |
|--------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| | | Yes | No | Yes | No | Yes | No | Yes | No |
| District 5 | 2875 | 1523 | 824 | 1457 | 736 | 1500 | 826 | 1433 | 814 |
| District 6 | 3451 | 2026 | 865 | 1791 | 888 | 1728 | 1044 | 1705 | 971 |
| District 7 | 6351 | 3502 | 1671 | 3435 | 1427 | 3537 | 1524 | 3353 | 1491 |
| District 8 | 6795 | 3746 | 1796 | 3581 | 1685 | 3551 | 1863 | 3410 | 1853 |
| District 9 | 4126 | 2383 | 997 | 2305 | 930 | 2278 | 1059 | 2205 | 1005 |
| District 10 | 7980 | 4341 | 2258 | 4541 | 1775 | 4383 | 2113 | 4390 | 1911 |
| District 11 | 7886 | 4319 | 2195 | 4375 | 1850 | 4305 | 2113 | 4269 | 1922 |
| District 12 | 7741 | 4271 | 2093 | 4457 | 1577 | 4378 | 1874 | 4407 | 1652 |
| District 13 | 5066 | 2546 | 1523 | 2512 | 1423 | 2522 | 1533 | 2415 | 1543 |
| District 14 | 1664 | 1033 | 320 | 1633 | 293 | 1048 | 293 | 1002 | 455 |
| District 15 | 1115 | 732 | 260 | 717 | 271 | 696 | 282 | 682 | 299 |
| District 16 | 1648 | 813 | 366 | 752 | 403 | 780 | 383 | 711 | 440 |
| District 19 | 2818 | 76 | 91 | 64 | 88 | 78 | 86 | 62 | 95 |
| TOTAL JUDICIAL #3 | <u>59616</u> | <u>31311</u> | <u>15259</u> | <u>31025</u> | <u>13396</u> | <u>30784</u> | <u>14993</u> | <u>30044</u> | <u>14451</u> |

| Election Districts | | Connelly | | Guinn | | Miller | | Robson | |
|--------------------------|---------------------|---------------------|--------------------|---------------------|--------------------|--------------------|--------------------|---------------------|--------------------|
| | | Yes | No | Yes | No | Yes | No | Yes | No |
| District 16 | 1848 | 270 | 105 | 347 | 27 | 279 | 94 | 259 | 114 |
| District 17 | 2309 | 1471 | 536 | 1799 | 351 | 1491 | 550 | 1363 | 666 |
| District 18 | 1736 | 487 | 170 | 513 | 173 | 478 | 181 | 432 | 213 |
| District 19 | 2818 | 1510 | 629 | 1389 | 660 | 1317 | 834 | 1338 | 777 |
| District 20 | 13227 | 8562 | 2410 | 7469 | 2646 | 5831 | 5479 | 7596 | 3698 |
| TOTAL JUDICIAL #4 | <u>21918</u> | <u>12300</u> | <u>3850</u> | <u>11517</u> | <u>3857</u> | <u>9396</u> | <u>7138</u> | <u>10988</u> | <u>5468</u> |

BONDS

| Election District | Number Of Persons Voting | Bond #1 | | Bond #2 | | Bond #3 | | Bond #4 | | Bond #5 | |
|-------------------------|--------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No |
| STATEWIDE | | | | | | | | | | | |
| District 1 | 4612 | 2538 | 1776 | 2310 | 1976 | 1797 | 2446 | 1630 | 2642 | 2771 | 1558 |
| District 2 | 2213 | 1326 | 655 | 1303 | 703 | 1110 | 862 | 1117 | 866 | 1493 | 555 |
| District 3 | 2699 | 1653 | 878 | 1483 | 1039 | 1235 | 1269 | 1473 | 1038 | 1866 | 688 |
| District 4 | 8052 | 4518 | 3128 | 4554 | 3121 | 3427 | 4203 | 3590 | 4051 | 4692 | 2639 |
| District 5 | 2875 | 1630 | 1018 | 1467 | 1165 | 1302 | 1316 | 1388 | 1225 | 1820 | 954 |
| District 6 | 3451 | 1656 | 1572 | 1114 | 2019 | 1321 | 1878 | 1909 | 1872 | 1693 | 1537 |
| District 7 | 6351 | 3625 | 2109 | 2936 | 2749 | 3084 | 2606 | 2914 | 2781 | 3405 | 2458 |
| District 8 | 6795 | 3678 | 2571 | 2686 | 3535 | 3055 | 3173 | 2759 | 3443 | 3555 | 2816 |
| District 9 | 4126 | 2322 | 1607 | 1764 | 2134 | 1844 | 2076 | 1870 | 2043 | 2175 | 1640 |
| District 10 | 7880 | 4448 | 3117 | 3568 | 3957 | 3658 | 3893 | 3502 | 4008 | 4210 | 3170 |
| District 11 | 7886 | 4320 | 3246 | 3244 | 4260 | 3493 | 4049 | 3363 | 4143 | 3944 | 3409 |
| District 12 | 7741 | 4394 | 3011 | 3625 | 3764 | 3721 | 3671 | 3612 | 3764 | 3984 | 3188 |
| District 13 | 5066 | 2371 | 2406 | 1997 | 2729 | 2097 | 2653 | 1850 | 2865 | 2267 | 2493 |
| District 14 | 1664 | 1014 | 553 | 1090 | 470 | 855 | 700 | 1032 | 529 | 1101 | 477 |
| District 15 | 1115 | 661 | 196 | 733 | 321 | 647 | 388 | 795 | 257 | 751 | 299 |
| District 16 | 1848 | 1270 | 407 | 971 | 683 | 978 | 671 | 1317 | 307 | 1068 | 602 |
| District 17 | 2309 | 1900 | 346 | 1559 | 660 | 1555 | 657 | 1909 | 321 | 1608 | 612 |
| District 18 | 1736 | 1320 | 279 | 910 | 639 | 1033 | 498 | 1378 | 216 | 1048 | 512 |
| District 19 | 2818 | 1724 | 858 | 1151 | 1371 | 1489 | 1035 | 1505 | 1044 | 1667 | 892 |
| District 20 | 13227 | 8148 | 3944 | 5422 | 6456 | 8197 | 3970 | 6550 | 5410 | 7320 | 5006 |
| District 21 | 1852 | 1451 | 225 | 1048 | 598 | 1116 | 515 | 1417 | 267 | 1144 | 518 |
| District 22 | 2241 | 1755 | 328 | 1345 | 697 | 1311 | 711 | 1708 | 352 | 1548 | 522 |
| STATEWIDE TOTALS | 98557 | 57922 | 34230 | 46280 | 45046 | 48325 | 41240 | 47900 | 43511 | 55138 | 36545 |

Bond #1 - State General Obligation Fire Protection Facilities
 Bond #2 - State General Obligation Port Facilities Development
 Bond #3 - State General Obligation 1974 Library Construction
 Bond #4 - State General Obligation Trunk and Secondary Airport Construction
 Bond #5 - State General Obligation Highway, Ferry and Local Service Road and Trail Construction

| Election District | Number Of Persons Voting | Bond #6 | | Bond #7 | | Bond #8 | | Bond #9 | | Bond #10 | |
|-------------------------|--------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No |
| District 1 | 4612 | 2434 | 1880 | 2549 | 1790 | 2963 | 1422 | 2553 | 1782 | 1874 | 2440 |
| District 2 | 2213 | 1348 | 642 | 1337 | 657 | 1440 | 553 | 1358 | 660 | 927 | 1037 |
| District 3 | 2699 | 1595 | 929 | 1750 | 778 | 1742 | 789 | 1572 | 943 | 1303 | 1221 |
| District 4 | 8052 | 4076 | 3220 | 4503 | 2802 | 4371 | 2950 | 4444 | 3278 | 4099 | 3687 |
| District 5 | 2875 | 1657 | 995 | 1646 | 1013 | 1757 | 905 | 1833 | 836 | 1487 | 1192 |
| District 6 | 3451 | 1639 | 1567 | 1538 | 1658 | 2213 | 1055 | 1820 | 1409 | 1559 | 1690 |
| District 7 | 6351 | 3539 | 2375 | 3578 | 2294 | 3946 | 2038 | 3598 | 2213 | 3667 | 2205 |
| District 8 | 6795 | 3408 | 2941 | 3638 | 2724 | 3739 | 2661 | 3873 | 2461 | 3784 | 2571 |
| District 9 | 4126 | 2095 | 1699 | 2231 | 1564 | 2324 | 1505 | 2343 | 1614 | 2410 | 1583 |
| District 10 | 7880 | 3856 | 3537 | 4212 | 3165 | 4065 | 3332 | 4238 | 3383 | 4774 | 2932 |
| District 11 | 7886 | 3808 | 3541 | 4175 | 3102 | 4135 | 3242 | 4455 | 3194 | 4540 | 3147 |
| District 12 | 7741 | 3822 | 3336 | 4132 | 3046 | 4335 | 2885 | 4256 | 3199 | 4522 | 2982 |
| District 13 | 5066 | 2375 | 2386 | 2253 | 2501 | 2461 | 2302 | 2338 | 2404 | 2266 | 2517 |
| District 14 | 1664 | 1099 | 467 | 1094 | 485 | 997 | 566 | 1070 | 494 | 933 | 645 |
| District 15 | 1115 | 884 | 181 | 794 | 263 | 745 | 312 | 800 | 185 | 744 | 321 |
| District 16 | 1848 | 1330 | 342 | 1059 | 621 | 1110 | 552 | 1416 | 281 | 1122 | 543 |
| District 17 | 2309 | 1902 | 334 | 1462 | 765 | 1583 | 635 | 1983 | 255 | 1749 | 488 |
| District 18 | 1736 | 1354 | 219 | 1116 | 456 | 1181 | 377 | 1424 | 171 | 1183 | 484 |
| District 19 | 2818 | 1740 | 822 | 1480 | 1065 | 1810 | 752 | 2035 | 566 | 1394 | 1176 |
| District 20 | 13227 | 7841 | 4530 | 6937 | 5309 | 8564 | 3888 | 8538 | 3794 | 7286 | 5136 |
| District 21 | 1852 | 1460 | 195 | 1095 | 559 | 1312 | 355 | 1489 | 184 | 1296 | 382 |
| District 22 | 2241 | 1778 | 289 | 1365 | 686 | 1514 | 536 | 1811 | 261 | 1525 | 541 |
| STATEWIDE TOTALS | 98557 | 55040 | 36427 | 53944 | 37383 | 58307 | 33612 | 59327 | 33567 | 54445 | 38820 |

Bond #6 - State General Obligation 1974 Health Care Facilities Capital Improvement
 Bond #7 - State General Obligation Fish and Game Management, Development and Enforcement Facilities
 Bond #8 - State General Obligation Pioneers' Homes
 Bond #9 - State General Obligation Rural School Construction
 Bond #10 - State General Obligation University of Alaska Construction



Behind these doors is the story of
Nebraska's Unicameral



Nebraska's Unicameral

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A Word About This Booklet

The material in this booklet was originally published by the University of Nebraska School of Journalism in 1961 as the result of a project undertaken by a class in depth reporting.

Most of the material is still timely. The historical matter can stand on its merits as history. Many of the mechanics—and the problems—of the Legislature are much the same today as they were in 1961. And in some instances the material gathered in 1961 is irreplaceable; many of the witnesses interviewed then—legislators, politicians, scholars, and widows and friends of the men who built the Unicameral Legislature—are now dead.

But in some instances details have changed since 1961. For instance, the number of legislators, then 43, is now 49. In some places, the editors of the 1970 booklet were able to insert the current number without extensive revision of the text or without confusing 1961 conditions with today's conditions. But in direct quotations and in places specifically describing conditions as they were in 1961, the number 43 has been left standing.

Some lists—the governors, lieutenant governors, speakers, special sessions, session costs—have been brought up to date although the articles they accompany have been left essentially as they were written in 1961.

The section on the survey of senators who had experience in both the bicameral and unicameral legislatures has been left unchanged, although some of the changes they advocated in 1961 have been made in the past decade, or conditions they spoke of have changed.

The article on apportionment has been left as it was written in 1961, although shifts in population, subsequent reapportionments, and numerous court decisions have vastly changed—and complicated—the apportionment problem. The map of legislative districts has been brought up to date, but the article remains as written in 1961.

Where the editors have felt it necessary to note changing circumstances or to remind the reader of the nine-year aging of information given, brief editor's notes have been inserted.

* * *

The editors of the 1961 depth report acknowledged the help of many persons and groups.

—The Newspaper Fund, Incorporated, of the Wall Street Journal, which gave financial support for the preparation and publication of the report.

—Dr. Adam C. Breckenridge, then dean of faculties and professor of political science at the University of Nebraska.

—Dr. William D. Aeschbacher, Dr. Donald F. Danker, Miss Myrtle Berry and other members of the staff of the Nebraska State Historical Society.

—Hugo F. Srb, then clerk of the Nebraska Unicameral Legislature.

—John C. Kissler, then manager of the Printing Division of the University of Nebraska.

—Edward J. Hirsch and other members of the staff of the Department of Public Relations of the University of Nebraska.

The editors of the revised edition of the

report also want to thank those who have helped in the publication of the 1970 edition:

—The Legislative Council of the Nebraska Legislature, which has financed this edition.

—Vincent Brown, clerk of the Nebraska Legislature.

—Harold Bathel, manager of the Printing and Duplicating Service of the University of Nebraska.

—The Nebraska State Historical Society and its staff.

—The photographs on pages 7, 10, 13, and 14 were provided by the Nebraska State Historical Society.

The bibliography of published sources for this publication includes (where necessary because of copyrights, permission has been obtained to quote sources in both the 1961 and 1970 editions):

Democracy's Norris by Alfred Lief. Copyright 1939, The Stackpole Co.

The Fighting Liberal by George W. Norris and James E. Lawrence. The Macmillan Co., 1945.

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The Albion News, Albion, Nebraska.

The Lincoln Journal, Lincoln, Nebraska.

The Lincoln Star, Lincoln, Nebraska.

The McCook Gazette, McCook, Nebraska.

The New York Times. Quotations from an article by George W. Norris in the issue of Jan. 28, 1923. Copyright 1923 by the New York Times. Reprinted by permission.

The Omaha World-Herald, Omaha, Nebraska.

Material was also used from two unpublished master's theses written by University of Nebraska graduate students:

"George Norris's Persuasion for the Unicameral Legislature" by Phillip Knox Tompkins, 1957.

"The Speaking of John N. Norton" by Robert William Kimball, 1959.

Part I:
**The Men Who
Built It**

The First Champion:

The Gentleman from

By Judy Harrington

SPEAKER: "The chair recognizes the gentleman from Polk County."

Then arose a man with a mission, a conservative-looking dark-haired man in a blue suit, white shirt and black bow tie. He was of medium build, about 5' 11" tall, 170 pounds. His voice was clear and low and he used it with confidence as he addressed the Nebraska State Legislature.

"I know of no proposition that can be more properly submitted to the people of this state than the question of a one-house legislature," he said.

That was a Thursday afternoon in March 1920, and John N. Norton already had campaigned for a unicameral legislature in Nebraska for seven years.

It took another 14 years before voters approved the state's unique one-house law-making body that Norton had believed would save time, talk and money.

It took years, too, for Norton to get legislation enacted in the interest of agriculture, specifically an all-risk crop insurance program and an agency within the U.S. Department of Agriculture to administer that program.

To these ends — the unicameral legislature and farmers' benefits — Norton was dedicated.

When J. N., or Nate, as friends called him, was a small boy on the family homestead west of Stromsburg, two of his

brothers and one sister died within a month from diphtheria. Those close to him believe the realization that he was saved from the dreaded disease made him intensely interested in making a contribution to society.

This apparent drive kept him active on the Nebraska political scene for some 19 years as an elective office-holder from 1908 to 1926 and again in 1937. On the national level he served two terms in the U.S. House of Representatives and 14 years in the Department of Agriculture.

Beyond Expectations

When young John was growing up, his parents did not think it necessary for him to continue his studies beyond the country school. But he prevailed upon his father to let him go to Bryant Normal in Stromsburg during the winter months and later, to the University of Nebraska, where he became interested in the beliefs of William Jennings Bryan.

"He decided against taking law," Mrs. Norton said "and that was the one thing he regretted more than anything else."

However, his son, his son-in-law and two grandsons are lawyers and his daughter had two years of law.

"My husband's primary interest in life was politics and good government," Norton's widow recalled.

Polk County

"He was a voracious reader and recognized the farm problem long before it was even considered in the Congress. He worked hard in the farm organizations, spoke all over the United States and advocated solutions which have since been adopted.

"All this time he was interested in state government and he was determined to work day and night for the things in which he believed."

Entry into politics came as somewhat of a surprise to Norton when at the age of 28 he was elected Polk County clerk.

"At that time Nebraska had no provision for primary elections," he said, "and so I was nominated in a county convention at a time when I had no previous intention of becoming a candidate."

But in 1908 he served the town of Osceola as mayor and two years later he was nominated without opposition and elected to the Nebraska House of Representatives.

Voters sent him back to the 1912, 1914, and 1916 sessions. The Democratic party was in majority then and Norton served as majority leader and as speaker pro tem of the House.

It was in 1913, during his second term, that Norton proposed a constitutional amendment to provide for a one-house legislature. His resolution provided for a joint committee to study improved



John N. Norton

methods of legislation and to file a report with the governor not later than January 1, 1914. The material was assembled but no action was taken.

In 1922 Norton was a candidate for nomination for governor by both the Democratic and Progressive parties. He won the Progressive party's nomination but declined it and lost the Democratic nomination.

An Important Role

When he was not in office and much of the time when he was, Norton was filling speaking engagements. Public address played an important role throughout his life; as he said, every position he held or every activity he had been part of had required the delivery of some speeches.

His widow, Mrs. Selma Norton of Washington, D.C., said he was a fluent speaker and much in demand. "He wrote his own speeches, but never read from a

*'I know of no proposition
that can more properly be submitted
to the people of this state..'*

prepared text. He would memorize an outline of the thoughts he wished to express — and the outline would remain in the pocket of his coat. At first he would practice his speeches before a mirror in order to get the right effect, but as time went on he became too busy to follow this procedure.

By 1928 Norton again was politically active, this time being elected to the U.S. House of Representatives from Nebraska's normally Republican Fourth District.

But in 1933, when Nebraska's representatives were reduced from six to five, Norton was pessimistic about the chances to retain his seat, so he limited his campaign.

"Even though I lost that nomination," he said, "I did not do so by a margin of 8,000 votes as I had anticipated but only by 3,600 votes. And so ended my effort to seek further service in the Congress of the United States."

Return to Fight

In 1934 J. N. took a month's leave from work in the Agricultural Adjustment Administration to campaign in Nebraska once again for the cause he had so long advocated — the one-house legislature.

He was no longer working alone but with such men as U.S. Senator George Norris, former Nebraska Attorney General C.A. Sorenson, former Governor A.J. Weaver,

Professor John P. Senning and William Ritchie.

What happened in 1934 to Nebraska's two houses was described in 1937 by John T. Flynn for *The Commentator* magazine.

"In the Big Wind that blew over the land and the prairies, that blew all the banks into the dust and all the dust into the Atlantic, one house of Nebraska's Legislature got blown out of the capitol building; and with it about ninety bucolic state men went with the wind to the great honor and glory of the Cornhusker State. They then committed their destinies to a single body. Unicameral, they call it.

"A member of this body, John Norton from Polk County, sits in the back row of the house, vigilantly watching his baby grow, taking little part in the controversies over policy, centering his attention upon the parliamentary measles and mumps and other infantile diseases to which this young Legislature may fall victim."

After heavy opposition, which included nearly 400 of the state's 440 newspapers, the amendment had passed. Only 73 of 229 precincts voted against it; only nine counties out of 93.

Nebraska had adopted the Union's only one-house legislature.

In 1938 after serving the first term in his Unicameral Legislature Norton returned to Washington and resumed his efforts on behalf of the American farmer. He held a

Department of Agriculture appointment until 10 years later.

He retired with his wife to their homey, second-floor apartment at 2615 16th St. N.W. in Washington, D.C. There, he read and kept up correspondence with the aid of his daughter, Mrs. Evelyn Lincoln, Senator John F. Kennedy's personal secretary.

In September 1960, Norton became ill. At first the illness did not appear serious, but his doctor advised him to go to the hospital where he could get better care than Mrs. Norton was able to give him at home. In the hospital, complications set in and Norton died October 5, 1960.

Back Home

He is buried in the pinebordered Swede Plain Cemetery, two miles from his Polk County home. The grave is only a few feet from his parents' graves and not far from those of his wife's relatives. A simple marker and four artificial lilies give no hint of the man's accomplishments.

From a hilltop nearby one can see a tower in Stromsburg to the east and the Polk grain elevator to the southwest.

The Rev. John Ekwall of Seward, a former pastor at the Swede Plain Church and an old friend of Norton's spoke at the funeral:

"When I was very young, I overheard a conversation of young people who had been at a camp meeting. I heard them

tell about a remarkable young man who had such tremendous ability to speak fluently — his friendliness — and the girls mentioned his good looks. I was told that this man was Nate Norton from the Swede Plain Church.

"Years later I had entered the ministry and literally was dropped upon the Swede Plain Church. I assure you I was both amazed and scared to discover that this Nate Norton, this distinguished American, was a member of my new congregation.

"Many times I visited the Nortons and through his kindness, tact, and great heart I received more spiritual guidance and understanding than I think I was able to give him.

"At one of my visits with him, he suggested that soon every farm in Nebraska could and would have electric lights and power. I am afraid I smiled and thought that this time Nate dreamed too much. How little I knew!"

How little many of his associates knew in the beginning, but John Nathaniel Norton came to be known as a champion of the initiative and referendum, direct primary, women's suffrage, and public ownership of water power and utilities.

And the gentleman from Polk County left Nebraska a special legacy — he was perhaps the first to dream of and then actively promote a system of legislature that he believed would "save time, talk, and money."



George W. Norris

By Carol Schliesser

"I F I OFFERED the Lord's Prayer as an amendment, they would fight it."

The speaker: George William Norris. The place: McCook, Nebraska, his home town. The time: November 5, 1934. The words represented a moment of discouragement in the life of a man for whom lonely political battles had been not the exception but the rule.

These weary words spoken in 1934 came at the end of another battle. They were spoken on election eve when Nebraskans were pondering the fate of the proposed unicameral legislature amendment. Norris's final plea was recorded by the *McCook Gazette*:

"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

Prestige on the Line:

The Lonely

of today's ballots if the vote brings defeat to his proposal to install a Unicameral Legislature in Nebraska."

The next day the voters fulfilled a dream of George Norris. He had written the amendment advocating this type of state government and he had been a factor—perhaps the prime factor—in convincing the people that it would bring better government than the old bicameral system.

It is hard to pinpoint when Norris first became interested in a unicameral legislature. He rarely gave dates in his autobiography, *Fighting Liberal*, but said that he first became interested while living in Furnas County, which would put the date sometime between 1885 and 1900. He said, "I was anxious that the State of Nebraska abolish its illogical and clumsy two-house legislature and substitute the unicameral plan for it."

The earliest record of Norris's interest in a one-house legislature is an article he wrote for the *New York Times*, January 28, 1923, in which he likened state government to a business:

"The governor is the president of the corporation, the legislature is the board of directors, and the people are the stockholders. The stockholders have a right to know what their board of directors does and how it is done. They have a right to be able by the record of the votes, to know whether the members of the board of directors have properly represented the stockholders."

His article urged that the house be small and well paid, with few enough members to be carefully watched by the public. He did little else about the unicameral legislature until 1934.

Liberal from McCook

An Old Dream

The unicameral legislature was no sudden fantasy on his part. For years he had studied the idea of providing a unicameral legislature by amendment to the constitution. He had been asked to run for both the House and the Senate in the state legislature, he wrote in his autobiography, but could not afford to live on the low pay (\$300 a term).

But, he did not invent the idea of a unicameral legislature. John Norton probably was Nebraska's first vigorous advocate. And much earlier other states—Pennsylvania, Vermont, and Georgia—had created one-house legislatures during the Revolution but, Georgia and Pennsylvania had abandoned the one-house system in 1789 and 1790. Vermont followed suit in 1838—a century before Nebraska embarked upon the “great experiment.”

Norris traced the adoption of the bicameral assembly back to the early struggles between the English classes and hailed the ascendancy of the people's branch and the decline of the House of Lords in the English Parliament.

“Assuming two such classes exist and that their interests conflict,” he said, “there is some reason for a two-house legislature, but in this country we have no such classes and the constitutions of our various states are built upon the idea that there is but one class. If this be true, there is no sense or reason in having the same thing done twice, especially if it is to be done by two bodies of men elected in the same way and having the same jurisdiction.”

For years Norris had watched the machinations of the two-house system of

legislation, both in the state and federal government. He learned from the inside the vast powers held by the conference committee—a group of three senators and three representatives who met in secret to decide the fate of bills already passed by both houses. He saw these conferees modify and even thwart legislation which had been approved by a majority of their colleagues.

In this system, lobbyists did not have to control both houses, Norris pointed out, but merely two members of the conference committee from either chamber.

It is not certain just what induced Norris to pick 1934 for the year to stump the state for the unicameral legislature, but he said that he had promised friends to help lead the movement in 1934. In his biography of Norris, Alfred Lief wrote that the people urged Norris, “by mail and in person, to lead the way.”

With Professor John P. Senning of the University of Nebraska, Norris worked out an amendment embodying his plan. It provided for a single legislature of from 30 to 50 members. To Norris the most cherished part of the amendment was the sentence that read:

“Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he is affiliated with or endorsed by any political party or organization.”

His proposal to eliminate partisanship in state government gained for this amendment the opposition of both Nebraska political parties.

John Senning wrote that Norris “felt the time was ripe to give the people an opportunity to free themselves of a bicameral legislature if they so desired.”

'I have never made a more complete campaign...'

Senning gave credit to Norris not for his speaking, but for his leadership and for choosing "the strategic moment in which to present the question to the people."

On December 21, 1933, Senator Norris drafted the original amendment. After preliminary discussions, a public meeting was arranged for February 22, 1934, in the auditorium of the Cornhusker Hotel in Lincoln. Norris traveled from Washington to address the meeting, "at which, to my surprise, eight hundred men and women, from all parts of the state, were present," he said.

This was to be the beginning of a long and strenuous campaign by Senator Norris. "I never made a more complete campaign in Nebraska, or in any other political contest in which I became engaged. I traveled every section of the state, nearly wearing out my automobile," he said.

"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," Mrs. Norris, the Senator's widow, recalled at her McCook home in 1961.

Reaching the People

"At first he was discouraged," she continued, "but when he got out among the people, they were for it. The mail was preponderantly for it." Mrs. Norris told of the Senator's discouragement when the meetings for the unicameral legislature got almost no publicity because all the state papers, except the Hastings Daily Tribune and the Lincoln Star, were against it. If the publicity was good, many people came to hear the Senator speak, but if the publicity was poor, few turned out, his wife said. "When they put up handbills to announce the meetings, sometimes the opposition tore them down," she explained.

It is estimated that Norris delivered over 40 speeches between October 8 and

November 5, 1934, in all parts of the state. He was heard in person by 20,000 to 30,000 persons. Many more thousands of persons heard the Senator over the radio. He spoke in all kinds of halls; to men, women, farmers and ranchers, businessmen and laborers. He spoke under the auspices of various farm organizations, women's clubs, commercial clubs, church groups, service clubs, and the Democratic party, although he was nominally a Republican. He had the support of labor, farm groups, and an organization including at least four ex-governors and other influential Nebraskans, wrote Phillip Knox Tompkins in his master's thesis on "George Norris's Persuasion for the Unicameral Legislature."

The Senator's speeches usually contained arguments dealing with the evils of a bicameral system and extolling the virtues of a unicameral system. These would be followed by his "last and best fight," a personal appeal directly to those who had supported him for 30 years, Tompkins said.

Norris often put humor into his speeches. The Falls City Journal reported: "Senator Norris was full of the pointed quips which have made him famous. 'Checks and balances,' he chortled. 'After the legislative session comes to an end and we balance the books, we generally find that the politicians get the checks and the special interests get the balance.'"

"During the campaign someone spread the rumor that the Negroes in Omaha would lose their representation if the unicameral legislature were approved," Mrs. Norris said. "He was slow to anger, but he was perfectly furious over that. He had to laugh when he saw how it turned out. The only Negro representative to the Unicameral Legislature was elected from that Omaha district."

Denying charges that he had ulterior motives in advocating a unicameral legislature, Norris told a large audience in



Congressman Norris in 1903

O'Neill, "I haven't many more years to live. Why should I deceive you now?"

The date of the first session of the Unicameral Legislature, January 3, 1937, was also the date for the opening at Washington of the first Congressional session under the new Lane Duck Amendment, which Senator Norris had helped to initiate. However, he chose to be present in Lincoln where he sat on the rostrum as guest of honor when the Unicameral Legislature opened. Another of his plans had become a reality. "I have always been called the worst demagogue who ever walked down the pike," he grinned, "until the things I wanted began to work."

As he walked into the chamber, a thunderous burst of applause greeted him.

"I congratulate you," he told the first

session of Nebraska's Unicameral Legislature. "Every professional lobbyist, every professional politician, and every representative of greed and monopoly is hoping and praying that your work will be a failure."

After giving the Unicameral Legislature this send-off, he devoted all his time to work in Washington, leaving the Unicameral Legislature to work under the ideals he had set up for it.

Image of Norris

The Unicameral Legislature did more than fulfill one of George William Norris's dreams. With its nonpartisan provision, it was his whole way of life.

Yet, when he was elected to the U. S. House of Representatives in 1902, Mrs. Norris said, "there was never a more standpat Republican. Norris was born in poverty in Ohio July 11, 1861. He was first elected prosecuting attorney and later district judge in McCook, Nebraska. Before that he had taught school in the rough, unsettled Washington Territory.

In his youthful enthusiasm, the newly elected member of the 58th Congress "thought the Republican party was perfect," Norris wrote in *Fighting Liberal*. When he saw party members voting along party lines regardless of the issue involved, he wrote later, he was disappointed and began his life of non-partisanship and liberalism. In explanation he said, "I cannot be anything but myself." Because of his liberalism, he was not held in favorable regard by some of his fellow Republicans.

"His eternally youthful vision, his courage and his honesty, gave strength and faith to millions of his countrymen," said James E. Lawrence, former editor of the *Lincoln Star*.

Norris's Congressional record, which covered 40 years in the House and Senate, is one of struggle for what he believed in. He was the author of and led the fight for

the 20th Amendment to the Federal Constitution. In 1910 he waged a historic fight to end the dictatorial authority of the speaker of the House over committee appointments. This battle with "Uncle Joe" Cannon required political courage and parliamentary ability of a high degree, said Richard Neuberger in his book about Norris, *Integrity: The Life of George W. Norris*. Under Norris's leadership the House passed progressive legislation after the change in power.

During four decades on Capitol Hill, George Norris knew many presidents. But a president he did not know—John F. Kennedy—later described the Nebraskan on the day in 1910 when he fired the opening shot in the battle with Joe Cannon. In his book *Profiles In Courage*, Kennedy envisioned Norris as "a somewhat shaggy looking Representative in a plain black suit and a little shoestring tie."

Norris's successes have been attributed by *Time* magazine to the fact that through the years, his cocked eyebrows never grew weary while he watchfully waited for an opportunity to come his way. In 1932 he won Congressional approval of the 20th Amendment. He then secured passage of

the Norris-La Guardia Bill restricting the powers of courts to grant injunctions in labor cases and forbidding them to entertain suits based on labor contracts that forbid workers to join unions. This was followed by the Tennessee Valley Authority to ensure governmental operation of Muscle Shoals. "At this time many people said that Tennessee had three senators and that Nebraska had only one," said Alex Gochis, resident of McCook and friend of Norris.

Many people feel that his greatest achievement was the Rural Electrification Administration. "It was an electrical revolution," said Judge Victor Westermarck of McCook.

Proudest of REA

Carl Marsh, McCook realtor and close friend of the Senator, once asked Norris what was the most important of his accomplishments. Norris replied that he wanted to be remembered for the REA because it relieved the farm woman of the slavery of farm work.

"If I were a citizen of Nebraska, regardless of what party I belonged to, I would not allow George Norris to retire

President Roosevelt listens to the senator he greatly admired.



No one doubts George Norris's 100 per cent integrity'

from the U.S. Senate," said Franklin D. Roosevelt. Norris was one of the few men in public life for whom F.D.R. had an almost reverential respect.

"No one doubts George Norris's 100 per cent integrity," said a Time magazine article on January 11, 1937. "Frankness is almost a fetish with him. His other engaging traits include a mild manner, great personal modesty, a disarming habit of coupling every declaration with the frank admission that 'maybe I am wrong,' or 'it seems to me,' and a 15-year-old spirit of disillusionment about the possibility of getting anything liberal done for the benefit of mankind. However, he tried to get the last word in every Senatorial debate and found it hard to believe that his opponents' motives were honest."

Rated Tops

In a 1939 poll of senators by Washington correspondents, Norris rated tops for integrity, intelligence, industry, and influence. The question visitors asked as they looked down upon the Senate floor was, "Which one is Norris?"

The mainspring of his career took the form of insurgency and liberalism, but it took other forms as well and at bottom it appeared to be an emotional objection to doing anything that was expected of him. He was one of six men who voted against the declaration of World War I. "I feel we are committing a sin against humanity and against our countrymen. I wish we might delay our action until reason could again be enthroned in the minds of men. I feel we are about to put a dollar mark upon the American flag," he said.

His vote against entry into World War I was not his first unpopular stand in those troubled times before American soldiers were first sent out of the Western hemisphere. On March 2, 1917, he led a successful but unpopular filibuster that delayed passage of the Armed Ships Bill designed to arm our merchant ships against Ger-

man submarine attack.

President Kennedy's book described Norris's return to Lincoln to face an audience after that widely denounced filibuster:

"Calm, but trembling, he walked out on the stage before them and stood for a moment without speaking. A solitary figure in a baggy black suit and a little shoestring tie. . . .

"In his homely, quiet, and yet intense manner, Senator Norris began with the simple phrase:

" 'I have come home to tell you the truth. . . . ' "

However, in 1941 he voted for President Roosevelt's request to arm all American merchant ships because, he said, of the changing national scene and Hitler's determination to dominate the world.

In 1957 he was on a list being considered by a Senate committee that was selecting the five outstanding senators in history. But, he was not one of those chosen. "Like other prophets and dreamers, he is without honor among some of his own people," said Thomas L. Stokes, United Features Syndicate columnist.

Image Lives On

"George Norris ought to be among the five great senators," Stokes said. "But it really won't matter much if his picture doesn't hang in the Senate. It surely wouldn't matter to him. He was a simple and unaffected person to whom such things mattered so little. His image is in the minds and hearts of people all over the world."

An Omaha World-Herald editorial in 1941 said that possibly the real value of Norris had been largely in his independence and imagination and his capacity to follow through. After his death September 2, 1944, Time magazine said that his radicalism had consisted mainly of his persistent belief that the United States could somehow be made into a

better place for the plain man to live. Time also said it was his baggy old-fashioned suit, topped by a limp string of a bow tie, and his droopy eyelids under bushy brows that made him look perpetually tired.

And perhaps he was a little tired, for he sometimes worked 16 to 18 hours a day handling correspondence, reading, researching, and preparing for his legislative work. He would not discuss public issues on which he did not feel himself properly prepared.

"He was a studious senator," said his widow. "He always had a room of his own," she said. "The study belonged to Father. When he closed the door, no one went in, but when the door was open, the family enjoyed many pleasant times with him in that study."

"Their social life wasn't too much," said

Miss Frances Egan of McCook, who served as Senator Norris's secretary in Washington for 10 years. "His diversion was his family," said Mrs. Norris, "and he was happier when he was home, and was devoted to his family."

Mrs. Norris said the Senator "gave his whole life to his work." He liked to row for enjoyment, but not to hunt. She recalled that as a young man he had been shot in the face while hunting and it was feared for a while that he might lose an eye. "George William knew who had shot him for he saw the man take aim, but the man himself did not know what he had done," she said. "George William never told who fired the shot. I asked and he said, 'I have never told.' I never asked again."

"I thought that was very noble of George," she added fondly, her dark eyes sparkling.

Scholarly Strategist:

The Practical Professor

By James Forrest

"I REMEMBER how on the election eve of 1934 I found Dr. Senning sitting quietly in his favorite chair by the radio," recalled Mrs. John P. Senning. "When I asked what he was doing, he gave a little puff on his pipe and said, 'I'm listening to the election returns in order to see if I still have a job at the University come morning.'"

When morning finally came, the Sennings gave a sigh of relief. The radio had just given the final returns—all but nine counties had voted to make Nebraska a unicameral state.

The victory on election day 1934 marked the closing of a relatively short but bitter campaign in Nebraska. To Dr. John P. Senning, it was an ending and a beginning. It was an end of nearly 20 years of constant study, investigation, promotion, and preaching. And it was the beginning of more than 20 years of hard work to set the Nebraska Unicameral machinery in motion and to chart its progress.

This German-born political scientist, whose work changed the political life of Nebraska, would have been difficult to pick out of a crowd. As one associate put it, he "almost destroyed his career in a battle to gain for the state and its people whom he dearly loved that which he knew was right."

His light-complexioned features, topped with full brown hair and set with piercing gray eyes, gave the medium-built Dr. Senning an appearance of determined casualness.

Orphaned as a child, Dr. Senning came to the United States at the age of nine and began to work his way through school by helping out on a farm near LeMars, Iowa.

"John was always striving to obtain the best education possible," said Mrs. Senning. "To him this always remained important. I think he was a student all of his life."

Proud Moment

When Senning entered Westmar College at LeMars he had nearly mastered the language and customs of his adopted country. However, according to an associate, Senning always felt that one of his greatest honors was his election as president and class orator of Westmar College's 1908 class. Soon afterward, Dr. Senning enrolled in the universities of Chicago and Yale.

After his marriage in 1913 to Elizabeth Anna Stone, he began his graduate studies again. While doing graduate work, he took various part-time instructorships, coming to the University of Nebraska in 1916. After teaching history for a year, Dr. Senning in 1917 joined the political science department, where he began his extracurricular study of legislative systems. He received his doctor's degree from the University of Illinois in 1924 and returned to Nebraska and the chairmanship of the political science department. He headed the department for 10 years.

"As a student or as a professor, Dr. Senning's favorite courses were on legislative systems," said Dr. Norman Hill, professor of political science at Nebraska. "All the time he was in school . . . he collected books and writings and listened to other educators discuss legislation, particularly the one-house theory."

He prepared himself well for the battle

*'...bicameral legislative systems
have...become obsolete...hand-me-downs
from the old English system.'*

that was to take place in a few years. Starting with his freshman year at Westmar College, he began gathering data on legislative systems. There is now a wealth of material in his personal library on the second floor of his brick home at 2730 Manse, that testifies to the seriousness with which John Senning researched his favorite subject.

The scholar who puffed on his pipe beside the radio in 1934 loved to raise gladiolas and play golf (though he was, he admitted, just mediocre). He also took great joy in the company of any number of cats. He found time somehow to teach Sunday school every week at the First Plymouth Congregational Church and to serve on the Board of Education in Lincoln before and after his retirement in 1952.

Though this was the only public office he ever held, "Dr. Senning, I think, would have liked to become a member of the Legislature," his wife Elizabeth said, "but he could not bear to give up his position on the University's staff."

"The students liked Senning," Dr. Hill said. "He was a man who had learned in spite of a hard youth to love life and enjoy living. He had a good sense of humor and a winning personality that could keep the department meetings as well as the classroom in laughter. . . ."

As a careful student and teacher of law-making systems, Dr. Senning was known to his colleagues at the University and in the Legislature as a political scientist who preferred to study government as a working proposition rather than a theory.

Dabbled in Practical

"I remember how Dr. Senning was always dabbling with the practical," reminisced his wife.

Even after the Unicameral Legislature came into existence he traveled the nation and Canada collecting more material.

"He never liked to travel just for pleasure," Mrs. Senning said. "There

always had to be a legislature to study or a group to listen to or talk to on his strong beliefs concerning legislatures and the Unicameral."

During one of his many debates during the vitriolic campaign of 1934, Dr. Senning said, "Since the inauguration of Jacksonian universal suffrage, bicameral legislative systems have actually become obsolete—carry-overs or hand-me-downs from the old English system." He considered the unicameral the logical, natural, next step in the evolution of American legislative machinery.

As his wife said, Dr. Senning began to "dabble" in 1919-1921, when he was a member of the survey committee for the constitutional drafting committee. In 1921 he served as chief assistant to Governor Samuel R. McKelvie in the reorganization of the state's administration.

But it was not until 1934 that Dr. Senning, prompted by the problems of the 1933 depression Legislature, became included in a major political battle. Along with U. S. Senator George Norris, he helped form a citizen's committee. The committee drafted a unicameral amendment for Nebraska's Constitution.

"The bicameral, partisan Legislature in 1933 was faced with the problems of the depression, with the majority of its members inexperienced," explained Mrs. Senning. "The people demanded action but there was nothing the Legislature could do. It fell flat."

And so began the first campaign to get the amendment on the 1934 ballot. Senator Norris keynoted the drive, saying, "Now is the time for change. . . the people are ready." The people may have been ready but the university professor and the U. S. senator had a battle on their hands. At the end of it, through the use of Nebraska's constitutional right to initiative, Dr. Senning's proposed amendment went on the 1934 ballot.

"I worried constantly about the firm



John P. Senning

position Dr. Senning took throughout the 1920s and into the 1930s in his proposing the controversial unicameral idea for the state," said Mrs. Senning. "But he had such a great deal of determination and zeal in his belief that Nebraska needed a unicameral that there was nothing I or anyone else could do to discourage him."

"Though the actual length of the campaign for the adoption of the amendment was short it was a great and bitter affair," Mrs. Senning continued.

Senning and Norris were assailed by powerful men, groups, and newspapers. Observers believe that the publicity, in general favorable for Norris's political career, nearly destroyed Dr. Senning. Some of the members of the University of Nebraska Board of Regents, the observers pointed out, became upset as the campaign grew fiercer. A member of the faculty—a department head at that—was in the middle of a controversial and national issue.

Career in Balance

And so it was that Dr. Senning, his hair now more gray than brown, sat beside his radio on the night of the election with possibly his career and all in which he

believed hanging in the balance as the vote was counted.

The Nebraska Blue Book gives the most accurate summation:

"... On November 6, 1934, the people of Nebraska adopted a constitutional amendment providing for a single house or unicameral legislature. This was an initiative amendment drafted by a committee of citizens. It was adopted by a vote of 286,086 for and 193,152 against. The amendment required the 1935 Legislature to apportion the state into 30-50 legislative districts."

The Sennings went to bed on the sun-bright morning of November 7, 1934, only to awake to perhaps an even greater task.

The next day, Norris, on his way back to Washington, came by to see Dr. Senning. Together they agreed that there was still much work to be done to ensure the success of the unicameral legislature. The responsibility fell to the 51-year-old political scientist. He worked tirelessly and succeeded; as one writer has said: "... abandonment of the Unicameral has not become an issue in Nebraska."

Almost immediately Dr. Senning and his wife, who worked for 20 years in the Legislature's research department, began to assemble charts, statistics, and figures from their own library, from other legislative libraries and from some of the unicameral provinces of western Canada. All this preparation was for the following months when it came time to set up the one-house legislature and redistrict the state.

In 1935, the last year of a bicameral legislature, Dr. Senning was officially named consultant to the Legislature on the unicameral and assigned the task of dividing the state into 43 districts, the number decided upon by the 1935 Legislature.

"Dr. Senning spent the entire legislative session, when not in class (for he never forgot his duties at the University),

traveling to every county in the state. He listened to disputes. He re-educated the people to the unicameral idea. All the time he drew maps of proposed redistricting plans for the state, only to have them disputed by one county or senator or the other," said Mrs. Senning who was not only her husband's wife and companion but also a research assistant.

Finally Accepted

"Finally," she continued, "on the last night of the 1935 session, the Legislature accepted and passed the redistricting bill." The Sennings and their staff had compiled more than 30 different maps before everyone was satisfied.

Drawing upon the mass of information he had collected in his fight for the

unicameral legislature, Dr. Senning wrote a book, *The One-House Legislature*, which was published in 1937. At the time of his death, he was working on a second book, "but it was never finished," said Mrs. Senning. "I still have all the material he collected."

Kept Working

Even with the Unicameral Legislature now organized and running well, Dr. Senning wasn't through. For the rest of his life, until a series of heart attacks caused his death in 1954 at the age of 71, he worked for and promoted the unicameral system in other states. As one associate put it: "He was first the student, then the promoter, then the builder and finally the defender of Nebraska's Unicameral Legislature."

The Converted Cornhusker Pioneer, Pied Piper

By Judy Harrington

A PIONEER in some respects — a Pied Piper when it came to collecting friends — a professor and researcher by occupation.

This was Dr. Roger V. Shumate, first director of the Legislative Council, a research bureau engaged in the problems of state government.

As the first Nebraska director and one of three or four others in the country in 1937, Shumate was a pioneer in legislative research. In his 17 years at the Capitol, he compiled detailed studies on practically every phase of state government.

As a conversationalist he attracted many friends — anyone who could talk government or hunting and fishing.

"Since Roger died, I haven't felt much like hunting or fishing," said Boyd Carter, a former University of Nebraska professor and one of Shumate's many friends.

Dr. Adam Breckenridge, dean of faculties at the University of Nebraska, also indicated a lack of interest in hunting since Shumate's death.

As a professor he was exceptionally qualified and popular, "... popular in the sense that he had the students' respect and excited their academic interest," Breckenridge, Shumate's close friend and colleague, explained.

At the Statehouse, Shumate's Council job was to make impartial studies of any issue a legislative committee or individual senator would request.

The 43 senators and a research staff of five comprise the Council and informally work together between the biennial sessions. In this atmosphere the emphasis is on scientific approach of fact, statistics, and study rather than politics, pressures, and emotion.

"I don't make any recommendations," the director explained before his sudden

death in 1954. "I just gather the facts and point out the alternatives."

In a 1945 report on educational problems in Nebraska, Shumate said: "This (study) is done for the information of members of the Legislature. The treatment of these proposals is not intended to argue for or against any one of them."

To endorse this necessary position of neutrality, both he and his wife registered as independent voters.

In his work he was brilliant, "a real scholar," friends have said. He was described as distinguished and soft-spoken, "Not looking at all like an ex-merchant marine."

Life at Sea

Shumate had enlisted in the Navy during World War I and then served in the merchant marine, where he rose to a quartermaster's rank. At one time he sailed on a banana boat from Alaska to the tropics.

Shumate was conscientious, always abiding by the rules.

"If a legislative report wasn't to be released until 11:58 a.m., it wouldn't go out a minute earlier," a former wire service reporter said. "Under all kinds of pressure, he stuck to the rules."

By 1950 he had completed 65 large research reports and 668 brief analyses. Shumate said of his own work that "the bill-drafting services and the state revisor of statutes say the more recent laws are better drafted and fit in better with the compiled statutes than before the Council was set up."

He worked full time at his legislative job in the summer, and the rest of the year, as he said, split his time "60-60." On Tuesdays, Thursdays, and Saturdays he

went to the Capitol as usual. Mondays, Wednesdays and Fridays, wearing a different hat, he was Dr. Shumate, University of Nebraska professor of political science.

Former students praised Shumate for his keen knowledge and pace-setting enthusiasm for his subject. One recalled that Shumate generally was quiet and all business, but had a sense of humor and liked telling stories, many about his seafaring days.

"One day a fellow had fallen asleep in class," a University graduate recalled. "Dr. Shumate took a piece of chalk from the blackboard tray and aimed for the kid's gaping mouth, in an attempt to wake him. He missed his target but the resulting class laughter woke up the student."

Shumate taught a popular course in political parties. In addition, there were classes in national and state government, public opinion and constitutional law.

He had come to Lincoln in 1937 as an associate professor after stints as an instructor at the University of Cincinnati, 1929-31; the University of Minnesota, 1931-33; and the University of Pittsburgh, 1933-37.

By the time he came to Nebraska, his blond hair had receded just a bit and he wore a thin mustache. He still was tall and broad-shouldered and possessor of a carefully enunciated pattern of speech.

In 1944, full professorship was granted the man who had only five years' formal education before reporting as a student to the University of California at Berkeley. In

1948-49 he was acting chairman of the political science department.

The Outdoorsman

During the years Shumate and Breckenridge were in the department, the two spent off-duty hours around the rivers and fields near Lincoln.

"On warm Saturday afternoons, we'd take his car or mine and look for a place to fish," Breckenridge recalled.

"Even if we didn't get much game, which was usually the case, we enjoyed each other's company. Surely, if Roger Shumate had any hobby beyond hunting and fishing, it was conversation."

Had he ever been made to choose between school and the Statehouse, however, it is likely that his loyalty would have leaned toward teaching.

"My husband always talked about giving up Council work," said Mrs. Shumate, who still lives in their brown-shingled home at 3050 Puritan Street in Lincoln. "I looked for him to quit. Although he liked all his work, his teaching probably came first."

He quit both jobs unexpectedly.

On a Friday afternoon, the kind of day that lured the professor-director out of his offices and to the outdoors, Shumate and Jack Rodgers, his friend, former student, and eventual successor to the Council job, had gone fishing near Roca.

"Jack came to the door about 5:30 and told me I should get ready to go to the

*'I don't make any recommendations.
I just gather the facts...'*

hospital, that Roger was pretty sick," Mrs. Shumate began.

"I couldn't imagine its being anything serious; he'd always been in good health. But this time it was serious, a cerebral hemorrhage. They carried him into the hospital on a stretcher. I saw him then and it was the first time I realized how bad he was," she said. "He lived through the night and died late Saturday."

That was May 22, 1954, one day after his 54th birthday.

He left his wife and two daughters, Marilyn, now Mrs. Robert Ahlschwede, and Marcia, a University of Nebraska freshman in Fine Arts College.

His family remembers that he liked to talk — about all phases of government and about the outdoors.

He liked to read westerns, play bridge, go riding with his family, occasionally stopping to pick plums. "Usually we were looking for new places for Roger to hunt and fish," his widow said.

"He seemed to have a flair for writing," she said. "If it hadn't been for his workload, he probably would have written a book. He did write a chapter once, in a text called *Introduction to Western Civilization*. That was 15 or 20 years ago and I still receive small royalties from it, \$5 or \$6 a semester."

Shumate's boyhood was spent on a farm of "poor but respectable parents" in Mexia, Texas. Because of the lack of educational facilities and the demands of farm work, his mother taught him writing and simple arithmetic.

He entered the third grade but left school at age 13. Later he had said he became conscious of the lack of formal education. He quit the sea and took a newspaper job in Trinidad, Colorado.

Finally, he enrolled at the University of California at Berkeley, taking a matriculation examination and passing the equivalent of three years of high school.

The Dropout

He dropped out once and earned money at various jobs along the Mexican border.

Yet when he graduated in 1928, Shumate was awarded the high scholastic rating of Phi Beta Kappa. He went on to earn his master's degree in political science.

It soon became apparent to Shumate that "a doctor's degree is essential in the academic world." He got a half-time instructorship at the University of Minnesota and gained his doctorate there.

"I taught school in Minnesota then," Mrs. Shumate, now a doctor's receptionist, said. "We met there and were married soon after."

And who was the man she had married?

From the day he arrived in Nebraska, Shumate became a Cornhusker. Yes, he caught a lot of bullheads and turtles from the banks of Nebraska's creeks. And even more, he was a Nebraskan who led a life that attracted ardent friends and contributed tremendously to the development of the state's Legislature.

Three Decades as Clerk:

They Call Him 'Mr.'

By Judy Waser

BE IT ENACTED by the people of the State of Nebraska, Section One ..."

As the mellow bass voice resounded through the legislative chamber, the tall figure from which it came leaned on the rostrum, placed his glasses on the bridge of his nose, picked up a yellow pencil, and, turning the pages of the book, continued reading.

His words, clearly and quickly spoken, reached the senators in a rhythm of low phrases and occasional emphasis.

It is appropriate that this man who once helped in the construction of the Capitol, once served in the Senate of the old bicameral Legislature, and who so ardently supports the Unicameral Legislature of Nebraska, should have served as the permanent clerk of that body since the day it became the only one-house legislature in the United States. He retired September 25, 1969, and was designated by the Unicameral clerk emeritus. He has been succeeded as clerk by Vincent D. Brown.

"Ask him about the Unicameral," said a wire service Statehouse reporter, "He thinks it's the greatest thing man ever devised."

Indeed he does, as anyone who knows him will readily point out. Srb is often called upon to give talks on the Unicameral Legislature. He willingly answers innumerable queries from all over the United States and a good deal of the rest of the world.

"Compare it with the old system or any two-house system in the country, the more favorable view you will get," challenges Srb, then concedes, "Nothing is ever

perfect, but it is better than in other states."

He is always quick to point out the strength he sees in the nonpartisan aspect of the Unicameral Legislature. It eliminates many of the complicated procedures of the two-house systems and puts the principle above the party, Srb insists. The lawmakers, he says, have the benefit of a "now-we-are-facing-a-crisis, it's-time-to-put-aside-party-politics" attitude at all times.

As It Should Be

There is nothing partisan about highways, schools, or state expenditures, he adds, raising his graying eyebrows. "This is the way it should be. The Unicameral is a sample of what can be done when the senators approach their governmental problems from the standpoint of the people of the state to such a remarkable degree."

As clerk of the Legislature, Srb's main duties — on the face of it — are the preparation of the daily journal and the maintenance of staff and quarters for the Legislature. The work is divided into two phases — that done during the legislative sessions of about six months out of every two years, and the various duties connected with compiling the journal and laws during the interim. Actually the office has become the glue that holds the whole unicameral process together.

Srb first became aware of the need for a permanent clerk when he was serving as a senator under the two-house system. He realized the necessity of having someone who should know the procedural steps and

Unicameral'

keep things going between sessions. The office of clerk was made permanent on June 1, 1937, at the close of the first session of the Unicameral Legislature.

Many senators consider Srb the ultimate source for any information concerning the Nebraska Legislature or the unicameral system.

As one senator put it, "When he retires, they'll never be able to have a clerk as great as he is; he's so kindly to all the senators and helps them in many ways — always without a frown. . . He graciously explains mixups to the senators during the daily sessions, straightens out complicated parliamentary problems, and generally keeps things going. All the senators have a lot of love and respect for him."

Srb has been credited with maintaining the continuity between sessions of the Legislature. His many years of experience, coupled with his devotion to the Unicameral Legislature and his job, have provided him with vast amounts of information which he willingly contributes.

A graduate of the University of Nebraska Law College, Srb's legal training and 14 years of practice have enabled him to interpret the laws, their relationship, and their impact in many difficult situations.

According to Frank Marsh, Nebraska secretary of state and a Republican, Srb "is in a pretty touchy position. He is an avowed Democrat," Marsh explained, "yet has always been very fair, and has tried to represent both sides of the question in legislative matters. He



Hugo Srb surveys his Legislature.

cements the people of both parties together."

Srb, a man with clear-cut political philosophies, believes the "ultimate purpose of government is to be fair."

"He does an outstanding job of not mixing politics with his legislative duties and services, one state official said.

Democrats and Republicans add their nonpartisan praise.

Governor Frank B. Morrison, a Democrat who has known Srb personally for many years, observed, "He is one of the most efficient, conscientious, and able fellows in the field that I know of. He is highly respected by people in this field that I know of. He is highly respected by people in this field all over the United States."

"Former legislators always greet him with unusual friendliness," a Lincoln senator noted.

Other senators attach such adjectives to him as "efficient, loyal, respected, conservative, willing and able."

"He knows all the angles of state government," added Lieutenant Governor Dwight Burney, a Republican.

Another long-time Republican friend, George L. Santo, who has served as

sergeant-at-arms since the first Unicameral Legislature, said, "He is one of the finest fellows I know, always looking out for the public interest. He is a gentleman all the way through."

Loves Jokes

This man of tact is also a man of humor. He loves to tell jokes, but often keeps his listeners in suspense by playing down or deliberately forgetting the punch line. One of his most frequent listeners, a member of his permanent staff, quipped, "Watching his expressions in telling them is often funnier than the joke itself."

His secretary, Mrs. Sherill Neibuhr,



Srb's successor, Vincent Brown

noted that he "brightens up the place." He always has a welcome smile for everyone he sees, added the journal clerk, Theba Lubken. "There's never a day that's dull when he's around."

He loves to sing. "Just get him near a piano — or even if there isn't one handy just get him to singing — and you can't stop him," his wife said.

Agreeing, Frank Marsh recalled many times when he and Srb have traveled on bus trips together, singing all the way. "We also sing with the men's club at Christmas time in the halls of the Statehouse," Marsh added.

Mrs. Srb, a member of the staff of the University of Nebraska Extension Division, pointed out his immense enjoyment of people. "He likes to know what is going on, and he likes to know the people who are doing it."

He particularly likes young people and enjoys working with them and answering their questions. He works with the members of Boys State and Girls State each summer. As treasurer of Boys State and adviser and instructor for both groups, Srb directs their mock legislative sessions, contributing all of his knowledge of legislative procedures to the young people of Nebraska.

Mrs. Srb, born Frances Grace Davey, is a native of Lancaster County. She met her husband, who is from Dodge, Nebraska, when he was teaching for a year between the time he graduated from Wayne Normal School and the time he entered law college.

*'Ask him about the Unicameral.
He thinks it's the greatest thing
man ever devised.'*

Four of the Srbs' five children are gone from home now. The fifth, Sara, attends Mearle Beattie school. The oldest son, Richard, is studying for his Ph.D. at the University of Munich.

'Do More'

"Always do a little more than you're expected to do," Srb advised his son, Arthur, at one time, and Art has never forgotten it. He is now working for the Associated Press in Springfield, Illinois, and like his father, has a great love for the Legislature.

A daughter, Lois, is now Mrs. Charles E. Miller of Pasadena, California. The Srbs' other son, Charles, is working for the State Highway Department in Lincoln.

According to Mrs. Srb, the only activity the family has ever done regularly is to go to church. The Srbs are members of Tabernacle Christian Church in Lincoln, which he serves as a trustee.

Srb has found little time to take his allotted two weeks vacation in his busy job. When he does, Mrs. Srb adds, he uses the time to attend the National Legislative Service Conference where he is highly regarded by those in similar positions in other states. And at these meetings, as always, he continues his personal campaign for the unicameral system of legislature.

While his work is his pleasure and his first devotion, he loves an occasional joke. As clerk, Srb is in charge of hiring all employees concerned with the Legislature. A girl applying for a job once came shyly into the outer office and asked for the clerk's office. Srb told her that the clerk was in the next office down the hall. Then he quickly sprinted into his office to greet her.

There are many who have a special name for the grinning man who greeted the startled would-be job holder. They call him "Mr. Unicameral."

The First Session:

The Nation Watched

By Don Ferguson

"THERE WILL never be a legislature equal to the first Unicameral."

That was Lester L. Dunn speaking. The former senator, who served in both the first unicameral session and the last bicameral session, was commenting on the caliber of work done as Nebraska made legislative history in 1937.

During that first one-house session the legislative eyes of the nation were trained upon "Nebraska's laboratory in better lawmaking."

Observers, some cynical and some hopefully optimistic, were watching to see what problems would arise and what would happen to them. Indeed, that first session did have its problems but most of the men who served look back upon it as a success. In fact, many of them describe how they believe the legislators rose above party and personal consideration to make the unicameral system work. True, they may have argued over everything from nonpartisanship to proper seating procedure. In fact, one of the initial problems arose over seating arrangements. How were they to seat 43 senators in a house equipped to seat 100? Some thought every other desk should be used. Finally, it was decided to use the first 43 seats and assign each member an extra seat in the rear of the chamber.

Perhaps more serious was the painful changeover from partisanship to non-partisanship. E. M. Neubauer of Orleans described some of the behind-the-scenes maneuvering before the session opened. Neubauer, who served in nine sessions of Nebraska's Legislature, told of a meeting

just before the first Unicameral Legislature went into official session:

"The leader of the Democrat party called all the members of the Democrat party of the Legislature to meet in a room at the hotel the night before the session opened. We were all there. Here is one of the things he said:

"If the Republicans introduce any legislation that might give them any prestige or credit, try to amend it so it is no good, or kill the bill."

"I (Neubauer) think the Republicans used that same attitude quite a bit toward the Democrats.

"That might be all right for party politics, but it was against my principles. It made me an independent voter all through my legislative work.

"That is one reason that I favor the unicameral system."

Members of that first session, looking back on it almost 25 years later, apparently felt that many senators took Neubauer's attitude toward non-partisanship. Senator Dunn described the majority's reactions this way:

"The men who sat on the unicameral committee in the two-house system were men of integrity, and everyone who sat on that committee, irrespective of party, was desirous of making the new system work, and carry out the will of the people.

"And I also was a member of the first Unicameral Legislature. . . . The members of the new Unicameral, every one of them, were desirous of making the new system work.

"They showed this by electing as a speaker the oldest member with

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Morning

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"Unaccustomed as I Am —!"

Legislature Awaits Gong

May slash Committee List to About 14

By a World-Herald Staff Writer.
Lincoln, Neb., Jan. 4.—Nebraska's laboratory in better law making that will be formally opened and

Electric Firm Sued for New False Teeth After Light Failure

Newark, N. J., Jan. 4 (AP).—There was a smile today for the Public Service Electric and Gas company in a lawsuit resulting from the five and one-half hour night power failure last Monday. A local man sued the company for a new set of false teeth. He was cleaning his upper teeth that night, he claimed, and dropped them when the lights went out.

Staff Seeks Gesman Scalp

Employees of Hospital Threaten to Quit

BY WILLI. I. H. GRAHAM.
Ouster of George D. Gesman, superintendent of the Douglas

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Cartoon in Omaha World-Herald shows how Nebraskans felt in Umelght.

'Everybody wanted to make it work.'

legislative experience. He was a Republican. And the next important office was the chairman of the Committee on Committees. He was selected because he was the next oldest member in legislative experience. And he was a Democrat. Both of these men were of high caliber, sincere of purpose, and men of great integrity. And both of them had the respect and confidence of every member of the new system and the respect of the people of the state."

That first session did not run entirely without bumps. There were problems to be ironed out. This was indicated by several changes made in the rules of procedure on the last day of the session. Primary among the changes was the abolition of the committee of the whole. This issue, according to the Omaha World-Herald, was the cause of the first serious dispute of the session.

Abolition of the committee was felt necessary to cut red tape, the newspaper reported. The senators had agreed to abolish the committee to speed the budget through the chamber.

The Senate also faced a salary snag in the opening weeks of the session. The unicameral amendment had set up the total salary budget at \$75,000 per biennium "payable in such a manner and such a time as shall be provided by law." This meant that senators had to go through the complete process of passing a law to provide payment of their own salaries.

"Time-saving" was one of the adjectives used frequently during the campaign for the unicameral legislature. Indications

that speed was possible under the new system were evidenced in several ways during the first session. At the outset, organization of the session took only two weeks, a process that hitherto had taken three weeks.

The handling of the budget bill produced another example of speed. Anxious to conclude their work at the end of the session, the senators pushed the budget bill through the chamber in five hours and 40 minutes. In the previous bicameral session, it had taken nearly five days to clear the bill through the committee of the whole and advance it.

The first Unicameral Legislature passed 226 bills in 98 days, compared with 192 passed in 110 days by the last bicameral session. Total cost of the first unicameral session was \$140,000 compared with \$203,000 spent by the 1935 session.

Veteran legislator and former speaker Charles F. Tvrdek summed up that first session this way:

"To begin with, they were very tight indeed as I remember them—nothing, no nothing, made the state senators budge one bit aside. Everybody felt that the eyes of the world were upon Nebraska and the new system, and everybody wanted to make it work.

"And we worked and worked—night and day—for everyone felt that the least little bit of hesitation would draw the strings of dissatisfaction around all of our necks. So we worked and worked.

"What job we did, of course, is for history to tell. I, personally, feel that we did a good job."

Part II:

The Survey Of the Senators

Participating Senators

John Adams, Sr., Omaha
Elvin Adamson, Cody
James H. Anderson, Omaha
Robert Armstrong, Lincoln
LeRoy Bahensky, St. Paul
John E. Beaver, Columbus
Frank J. Brady, Atkinson
Henry F. Brandt, Sr., Lincoln
William B. Brandt, Unadilla
W. C. Builard, Denver, Colo.
Dwight W. Burney, Hartington
Roy B. Carlborg, Pender
Arthur Carmody, Trenton
Earl W. Carpenter, Red Cloud
Hugh Carson, Newport Beach, Cal.
John Comstock, Lincoln
Cecil Craft, North Platte
Glenn Cramer, Albion
Robert B. Crosby, Lincoln
Gidney J. Cullingham, Omaha
John G. Donner, Elgin
Lester L. Dunn, Lincoln
Dale Erlewine, Grant
A. A. Fenske, Sunol
M. M. Forrester, Anselmo
Dr. Harry A. Foster, Omaha
George C. Gerdes, Alliance
H. L. Gerhart, Newman Grove
Edward Gillette, Arlington, Va.
George Hoffmeister, Imperial
Carl P. Jeffords, Seneca
J. Hans O. Jensen, Aurora
Lloyd Kain, Lexington
Albert A. Kjar, Lexington
Sam Klaver, Omaha

Otto Kotouc, Sr., Humboldt
Marvin Lautenschlager,
Grand Island
John J. Larkin, Omaha
C. C. Lillibridge, Crete
Theodore McCosh, Gering
John P. McKnight, Auburn
Robert D. McNutt, Lincoln
Stanley A. Matzke, Hastings
John E. Mekota, Crete
William A. Me'zger, Louisville
William S. Moulton, Omaha
Frank Nelson, O'Neill
E. M. Neubauer, Orleans
Cliff N. Odgen, Jr., Omaha
Fern Hubbard Orme, Lincoln
John O. Peck, Columbus
Dr. O. H. Person, Wahoo
C. Petrus Peterson, Lincoln
Harry Pizer, North Platte
Stanley L. Portsche, Lincoln
Otto J. Prohs, Gering
Ross H. Rasmussen, Hooper
Michael P. Russillo, Omaha
Edwin T. Schultz, Lincoln
Frank Sorrell, Syracuse
Ernest H. Staubitz, Kearney
Marvin E. Stromer, Lincoln
George T. Sullivan, Omaha
George Syas, Omaha
Donald L. Thompson, McCook
Charles F. Tyrdik, Omaha
Willard H. Waldo, DeWitt
Charles Wilson, Norfolk

Does Nonpartisanship Work?

What Happens When

“NONPARTISANSHIP is probably the strongest advantage of the Unicameral.”

“Nonpartisanship is a joke.”

These two statements made by senators with long experience in Nebraska's Legislature represent the extremes in viewpoints about nonpartisanship. That word — nonpartisanship — has been wed to the Unicameral Legislature since the campaign in 1934.

Those who favor it and those who oppose it both with equal vigor admit that there is nothing peculiar about nonpartisanship that makes it a necessary part of a one-house legislature. It could be they point out a part of a two-house system a part of a city council, or a part of any lawmaking body.

But in Nebraska, nonpartisanship was firmly attached to the Unicameral Legislature by the men who fought for its approval in 1934. With George Norris as the leading spokesman for this aspect of Nebraska's new legislature, the proponents made nonpartisanship a major provision in the plan to give the state a one-house system.

Their arguments and those opposing them have echoed throughout Nebraska during the nearly quarter-century the state has had its unique system of legislation.

But the senators who have made laws within the system generally seem to have found a preference for nonpartisanship. Of the 58 senators participating in this survey, a large majority of them said nonpartisanship was a strength rather than a weakness in the system. Their views varied from absolute backing, to

lukewarm approval, to absolute opposition. Even so, the large majority of them had their answers to the critics of the system.

What are the criticisms? What are the answers?

Pro and Con

Here from the survey of Nebraska senators, are the criticisms and the answers:

1. Nonpartisanship leads to buckpassing. (There is just as much buck-passing between the two houses of a bicameral system.)

2. Nonpartisanship weakens the two-party system, which is a part of American political life.

(While nonpartisanship does not strengthen the party system, the advantages gained in independent legislation outweigh this objection.)

3. Nonpartisanship cannot separate an office-holder from his politics.

(There have been few instances in the history of the Unicameral Legislature where partisanship was obvious.)

4. Nonpartisanship eliminates the normal development of leadership.

(The lack of party control allows leadership to develop on its own merit.)

5. Nonpartisanship makes it difficult for a governor elected on a partisan basis to coordinate his program with the Legislature.

(A large majority of the senators participating in the survey felt that this liaison was not a problem. However, Nebraska governors, who also were interviewed, felt

There Are No Parties?

that problems of liaison had arisen during their administrations.)

6. Nonpartisanship leads to a lack of responsibility and subsequently a lack of legislative action.

(The Unicameral Legislature has produced enough legislation to govern Nebraska, and, in some instances, more good legislation than bicameral, partisan legislatures in other states.)

These, as the senators saw it, were the criticisms and the answers. While the majority of those taking part in the survey backed nonpartisanship, in several instances men strongly in favor of the unicameral system departed from their support to criticize this aspect of Nebraska's Legislature. The history of the Unicameral Legislature and the replies to the survey by the senators bore out the notion that partisanship versus nonpartisanship has long been a lively subject in Nebraska's political circles.

No Label

The theory of nonpartisanship differs from partisanship in one major respect: In a nonpartisan situation, a candidate is elected on his own personal integrity and convictions without a party label. In a partisan system, however a candidate accepts the party stand and is backed by his party before, during, and after his campaign and election.

There is a "naturalness" in the two-party system, according to two University of Nebraska political science professors. There are always at least two sides to every issue. The clash of opinions and competition between the two parties results in better decisions, they say.

Yet, as indicated by the operation of the Unicameral Legislature, there may be more than two sides. Instead of a two-sided disagreement, there is sometimes a 43-sided argument that in most cases is resolved into one legislative bill.

R. D. Slean Jr., assistant professor of political science at the University, explains that when an issue comes before the public in a two-party situation, the parties assume responsibility by making certain promises. Responsibility can thus be pinpointed and much buck-passing is eliminated.

The two-party system began with the disagreement between Alexander Hamilton and Thomas Jefferson on the question of a centralized government or a confederation of sovereign states, according to Dr. J. B. Shannon, chairman of the political science department. The Civil War widened the split, resulting in the majority of the northern states joining the Republican party while the South became staunchly Democratic.

"When there are two parties, there is constant criticism to keep people on their toes," Dr. Shannon added.

Laymen, political scientists, and other states view Nebraska quite critically because it is the only state employing both a one-house legislature and the nonpartisan system. One answer for which they are all searching is: Has nonpartisanship worked in this state?

Adam C. Breckenridge, dean of faculties at the University of Nebraska, contends that the nonpartisan system does fulfill the need for obtaining good legislators and good legislation. In his book, *One House for Two*, he said the absence of party politics

Pro: it allows each senator to be a representative of all the people.

in the Unicameral Legislature has not caused a lack of responsibility, lack of leadership, or lack of liaison between the governor and the legislators. Nor has nonpartisanship caused much buck-passing.

"One reason for this may be that for the majority of people of the state, and the majority of legislators past and present, the differences between Democrats and Republicans on most state questions are difficult to ascertain. Indeed, the basis for party distinctions may be difficult for most of them much of the time."

The personal abilities of members determine the kind of leadership and this leadership may change from session to session on separate questions, Breckenridge continued. Instead of being bound to one certain party the legislators are shaped by seniority, geographical distribution, and positions on various committees.

Breckenridge also contends that many Democrats have been elected from areas that would have denied them that privilege had the party label been attached.

A majority of the senators surveyed agreed with Dr. Breckenridge on the apparent success of nonpartisanship. But several who observed the earliest days of Nebraska's one-house legislature pointed out that nonpartisanship did not become a legislative fact of life overnight.

"In the beginning," one senator wrote, "the nonpartisanship feature was a weakness. There was no responsibility of any member of the Legislature except to his own voters in his district. However, the commonly accepted system of responsibility and leadership has been developed. As a result, party lines have no effect on

legislation and the governor is able to work in cooperation with the Legislature."

Independence

Many of the senators praised the independence given them under the non-partisanship system. One of them commented:

"I think this is part of the one house. It allows each senator to be just what the people have elected him to be: a representative of all the people regardless of party. This gives the senator more incentive since it eliminates going to the party bosses with anything that he thinks will be good for all the people and told to lay off if it may make a few votes for the other party."

Some evidence of partisanship was found by another, but he added from the senators' viewpoint:

"I personally like the feeling of direct responsibility to the people."

Experience in Washington, D. C., was cited by a senator who said:

"After considerable experience in Washington, D. C., and the resulting political pressures, better legislation is enacted by the unicameral system with each senator allowed to use his own good judgment."

While this was the majority view, an outspoken minority did not view the workings of nonpartisanship with so much optimism.

"The nonpartisanship is a joke," said one. "Every senator is either a Democrat or a Republican before he is elected to the nonpartisan Legislature, and he remains the same after he is elected."

"Nonpartisanship did not eliminate

Con: there is a 'naturalness' in the two-party system.

anything," a senator said. "Check the record for the past 30 years, and you will discover that the Republicans always voted as a body, and also the Democrats."

Several of the senators cited two examples over the past few years in which they felt partisanship had played a part in legislative dealings. One pointed out several times was the period during the recount after the election of Governor Ralph G. Brooks in 1958. The second incident cited involved the appearance of Governor Frank Morrison in 1961 before the Legislature to complain that partisanship may have helped to kill a bill on Nebraska Hall of Fame nominations.

Interestingly, several of the legislators who felt that nonpartisanship had not worked in the unicameral system did not feel that the system had led to buck-passing.

This charge of buck-passing has been heard periodically since 1937. These critics said that the lack of party responsibility has made it possible for Nebraska legislators to ignore vital legislation. The survey, however, indicated that most of the senators themselves felt this charge was not borne out by the facts.

One senator said, "You can't keep partisanship out of a government man. I say the unicameral boys still follow their politics."

But this same senator added, "There's nothing to the buck-passing idea."

Another senator who said he was "personally opposed to the nonpartisan feature of the Legislature," added, "I do not believe, however, that nonpartisanship has led to buck-passing."

Conversely, another senator who praised almost every aspect of the

unicameral system found nonpartisanship to be the great weakness in the system and said that buck-passing is a favorite sport in the Unicameral Legislature.

In reply to the buck-passing charge, one senator pointed out that he found it "hard to pass the buck with bills having a public hearing."

Another senator attacked the two-house system on the very same charge. He said:

"A student of legislative history knows that the bicameral system enables buck-passing between the two houses. One passes a bill; the other kills it; and vice versa — without mentioning what a conference committee can do, and does very often."

Party Control

This same senator complained about efforts of the political parties to control the Legislature. He said:

"Many who are eligible to vote do not vote, as sad commentary upon our citizens; only a few citizens actually participate in politics. And only a handful control a party, and it is only the handful who control the party who also want to control the Legislature. The citizenry is not anxious to control the Legislature or to have anyone else control it except their elected representatives."

The major political parties have voiced criticisms of the nonpartisan system. During the 1960 state conventions, Democratic and Republican parties both spoke out against nonpartisanship and urged a return to party politics in state government.

Charles Hein, executive state secretary of the Democratic party, concurred,

saying that he feels that although people are not apathetic toward state government as a whole, party effectiveness is destroyed by the nonpartisan system. So the passage or defeat of certain bills is often inconvenient or impossible, Hein said.

'Aimless Group'

Speaking from a personal standpoint and not for the Democratic party, Hein continued, "It is impossible to pinpoint responsibility on any group. The Legislature is an aimless group without any leaders."

Charles Thone, state chairman of the Republican party, said the same thing in different words when he described the nonpartisan Legislature as "43 leaders going in different directions."

He said that senators can also escape responsibility more easily in a nonpartisan system. Instead of taking a definite stand for or against an issue, Thone added, the legislator often passes the buck to the next man. No one is willing to take full responsibility, Thone contended.

He said that members of the Legislature are not willing to return to a partisan system because they can escape much responsibility. "A guy with a full house," Thone said, "doesn't ask for a new deal."

Thone also was concerned over what he considers an apathetic attitude toward political parties in any phase. He blamed part of this apathy on the lack of party politics in state government.

While a majority of the senators surveyed favored nonpartisanship, a number of them agreed in part with the stand taken by the state political parties. One senator who had served under both systems said he preferred partisanship. He added:

"In other words, candidates for an office on a platform would have the backing of their party. At present, you represent no party. On matters on legislation in regard

to parties, no one outside the Legislature may talk authoritatively for a party, and our country is run on the party system."

A need for two parties was cited by several senators.

"There ought to be an area of opposition to all legislation," one said. "I believe there ought to be a place to put responsibility. Call 'em Federals and Whigs, there should be some way to divide the responsibility. Of course it should be partisan."

"More responsibility toward vital issues would develop under partisan election of members," another senator said. "Political parties would then be able to work for programs of benefit to the state in matters pertaining to taxes, education, roads, resource development, etc. . ."

But another veteran senator was dubious of the influence of party platforms. "The political parties refuse to be specific on a platform," he said. "The political parties' promises are vague, but (make) promises to all groups."

"For example, they are for good schools, for labor, for fair taxes, for business, etc., but they don't nail their opinions . . . to a specific program."

Not for All States

And another senator did not feel that nonpartisanship would necessarily work well in all states. He wrote:

"The Unicameral would not work in a state where political bossism or strong political machines were in control. It is obvious that the whole thing would be greased all the way down the hall to the governor's office. There would not be enough of a check if the machine had the Unicameral and the governor."

Concern was expressed by several senators about what they felt was the weakness of the two-party system in Nebraska. "It is doubtful," one said, "if the two parties have fared as well on the state level. The big problem of Nebraska is an outmoded tax structure. Both political

parties seem to shy away from it, and leave it to the nonpolitical Legislature, which is unable to cope with it. A one-house legislature, elected on a partisan basis, might be able to get something done."

Two points closely allied to non-partisanship brought a flood of comments from the senators cooperating in the survey. These two points — leadership and liaison with the governor.

One senator, who backed almost every other aspect of the unicameral system, voiced the complaint about leadership:

"In this one respect I agree with opponents of the system. In my opinion, this has resulted in a loss of leadership that the partisan feature would probably provide. Effective leadership has not, in fact,

developed in the Unicameral. It is not only difficult but in my opinion, impossible to have effective liaison between a partisan governor and a nonpartisan Legislature. It is my experience that a nonpartisan Legislature makes it a particular point not to be led by a partisan governor."

Another senator emphasized the leadership point, although he called nonpartisanship "the strongest advantage of the Unicameral." He made the leadership point when he added, "A senator acts as he personally sees the problems without answering to the party leader. This makes it a little difficult for some members to go further in political life (U.S. Senator, or Representative, or governor)."

In Nebraska's Legislature the aisle isn't a battle line between the parties.



Senators Split:

Do Leaders Develop

THERE IS a shopworn phrase of the space age that involves the punch line of many jokes: "Take me to your leader."

Questions not unlike this statement are frequently asked by visitors to Nebraska's Unicameral Legislature. The observer, looking down from the galleries may ask:

"Who is the majority leader?"

"Who is the minority leader?"

"Where are the party whips?"

The reply to all of these questions is the same — "There are none."

When questions about leadership were put to the 68 senators who participated in this survey, their answers were considerably more complete and in many instances considerably more controversial.

The nonpartisan unicameral system develops better leaders than any other system, many said.

There are 43 leaders, or maybe no leaders at all, said those who disagreed — often vehemently.

The question of leadership and its development in the one-house nonpartisan system brought the widest variety of opinions of any of the issues discussed by the senators, except nonpartisanship, itself, which was closely attached to the leadership problem by practically every cooperating senator. They could not agree on what kind of leadership should be developed, and although many generally favored almost every aspect of Nebraska's Unicameral Legislature, they indicated reservations about leadership.

The statistics of their replies give an incomplete picture, but they provide a starting point.

Of the 59 senators who commented specifically on leadership, 37 felt it had developed as well or better under non-partisanship.

Some Dissent

Seventeen said the nonpartisan Unicameral Legislature had definitely not developed leadership as well as the bicameral system. Five felt the type of system made no difference.

But a closer examination of the 37 who seemed to favor the nonpartisan development showed that their backing was not as strong as the statistics indicated. Ten of the 37 believed that leadership developed only as well as — but not better than — under partisanship. This left 27, a minority of the total responding, who considered nonpartisanship the most fertile ground for the nurture of leadership.

As the opinions of these veteran legislators were examined, it became obvious they were talking about several kinds of leadership. To some, the development of leadership in a legislative body meant the growth of individuals to serve as party leaders or as elected officeholders. This kind of leadership, they pointed out, involves the combined use of the two-party system and public office as stepping stones to political prominence.

A large number of the senators were talking about another kind of leadership.

Under Nonpartisanship?

They discussed the actual legislative leadership that puts programs and laws and appropriations through a legislature. They admitted that under the partisan system this kind of leadership sometimes means the establishment of responsibility through a party legislative program. They cited, for example, the idea that certain issues such as taxation, education, roads, and recreation could be part of a party platform upon which partisan members were elected to a partisan legislature. In such a case, these senators explained, the party members in the legislature would be responsible for pushing through the party platform. The leaders basically responsible for rallying party votes would be party-picked leaders.

Another Type

But many of Nebraska's senators felt that the nonpartisan one-house system had developed another type of leadership. Time after time, senators referred to a "better kind of leadership." They explained that they meant a kind of leadership that developed on the "experience, integrity, and natural leadership qualities" of an individual rather than the choice of what may be called "party bosses." By "better" leadership these senators seemed to mean a kind of independent leadership that is better for legislation in Nebraska. From their viewpoint it had little to do with the development of leaders to hold higher office.

In fact, a number of them pointed out

that, while they favored this kind of leadership, they believed the system did not develop leaders in the other sense of the word.

One summarized the view of those talking about "better" leadership when he said, "Leaders in the Nebraska Legislature are usually men of experience in the Legislature with the knowledge and broadmindedness to think fairly on all issues. There is seldom a case of following a political leader for whatever advantages this may warrant."

Another felt that leadership thrives without party pressure. He explained, "There is not as much pressure put on individuals by party leaders. Look for examples of pressure in the national legislature."

Several senators emphasized similar beliefs. "Under partisanship," one said, "leadership was generally placed in partisan leaders who were the mouthpieces of their respective parties. The party in power claimed, in effect, a mandate from the electorate to pass legislation favorable to the party's position. Independent leadership is sometimes highly desirable."

"In my opinion," one senator commented, "leadership develops to a greater extent in the one-house system in that in the two-house system there exists a majority leader and a minority leader of each party. This makes it more difficult for individuals to develop leadership because of the tendency of the party caucus system to follow the leadership of the majority or minority leader."

Another senator made this point even more pointedly when he said, "The men with ability become the leaders of the unicameral body without party interference and without political bickering and interference."

A minority of 17 senators took a directly opposite view. Typical of their comments was that of one who said, "There has been no development of leadership since the two-house system went out of existence. There is too much individual thinking and jealousy among the members, with each wanting the governor's job or some assignment."

A colleague who agreed carried the criticism one step further. He said, "Each

year the leadership becomes less responsive."

Only Defect

One senator who was in general agreement with the unicameral system disagreed violently on the point of non-partisanship and its allied development of leadership.

"In this one respect," he said, I agree with the opponents of the system. In my opinion, this has resulted in a loss of leadership that the partisanship feature would probably provide. Effective leadership has not, in fact, developed in the Unicameral . . . I think the answer is that leadership develops better in a par-

Visitors often look for leaders who aren't there.



*'It is every man for himself
in the Unicameral.
(I enjoyed it..)'*

tisan legislature. This is, of course, based upon the assumption that men capable of leadership will be elected to the Legislature in the first place."

At least a half-dozen of the senators who opposed nonpartisanship because they felt it discouraged leadership used a similar descriptive phrase. One put it this way, "It is often said that out of 43 members there are 43 governors."

Another said, "I believe partisanship would be preferable. Organization would hew to one line of thinking and approach. As it is now, we have almost 43."

"Every issue has 43 solutions — all ignored," a colleague added.

Some senators agreed that there might be 43 leaders, but found this an advantage.

"I feel that we are developing leaders to a certain degree," one of this group said. "Beyond this point, I do not feel any legislator should be considered to be more influential than any other. We are here to consider issues and not be blindly led by some popular leadership."

Another legislative veteran said that "because of nonpartisanship, leadership is fragmented in the Unicameral. It is every man for himself in the Unicameral. (I enjoyed it for that reason.)"

This senator added that while leadership does not develop as well under this system, "each legislator thinks more independently."

As all of these senators presented their viewpoints, a picture — or more accurately several pictures — of leadership in the Unicameral Legislature began to emerge.

Leadership Shifts

Experienced legislative observers have said for perhaps two decades that leadership in the Unicameral Legislature is a shifting, parttime phenomenon. They meant that a man might develop a following in a certain legislative area. For example, a senator might be considered a budgetary expert or an agricultural expert or an educational expert. In these areas his fellow senators might look to him for leadership. Seldom, these observers said, did one man develop as a leader in all areas. This survey bears out the observers' conclusions to a degree. No other issue brought more comment or a wider variety of opinion.

One explained it this way: "It develops as you go along, as the Legislature progresses, irrespective of party affiliation."

Another senator said that leadership could be developed either under partisanship or nonpartisanship. But he added, "In the nonpolitical legislature a 'leader' may have a few followers — in a party he may have a following."

Do Senate, Governor Harmonize?

It Depends on Where

HOW DOES a partisan governor get along with a nonpartisan legislature?

The answer seems to depend upon which chair you are sitting in. If you are sitting in the legislative chamber as a senator in Nebraska's Unicameral Legislature, the chances are you probably would say, "Just fine."

If you were sitting in the governor's chair, the answer would apparently be, "Not very well."

At least these were the majority answers in this survey of 68 senators and six governors. Most governors said that liaison with the Legislature was difficult to maintain in at least some instances. The senators told a different story. Sixty-two senators commented on the liaison with the governor. Fifty of them said liaison could be maintained or worked out very easily. Twelve of them disagreed.

And the senators who disagreed did so with some vigor. For instance, one said, "Not worth a darn. As a matter of fact, it doesn't even work that well. To be perfectly honest about it, in most legislative sessions liaison is nonexistent and this is coupled with the legislative feeling that they will have no part of it."

Another senator agreed with a terse, "There is practically none (liaison) now."

In many instances the senators took into account the fact that Nebraska's legislators—outside of the Legislature—are predominantly Republican. Several of them who had not served with a Democratic governor wondered aloud how liaison would work under these circumstances.

One described a situation of mixed politics this way:

"Under nonpartisanship, liaison between the governor and the Legislature has been very cooperative. For instance, a Legislature composed predominantly of members of the Republican party has elected a Democrat as speaker and it has elected also a Democrat as chairman of the Committee on Committees, which committee receives the names of the governor's appointees for consideration and approval. In each case the closest harmony prevailed between the Legislature and the governor who was a Republican."

Another legislator wondered how a different mixture of parties might work out: "There have been times when the relationship between the governor and the Legislature has not functioned too well under the nonpartisanship Unicameral. On the other hand, probably the liaison would not be too good if the governor was of one party and a partisan Unicameral was controlled by the opposing party."

Too Much Fuss

Some senators felt that the political parties had made too much of an issue of the problem of liaison. "Personally, I didn't feel that there was as much of a problem as party bosses made it out to be," one explained.

Another cited what he thought would be a disadvantage under a partisan approach: "The governor now generally pays attention to each senator—under the partisan approach he might pay real attention only to the majority or minority leaders."

Storm warnings were sent up for governors who might get "too partisan" in

You're Sitting

their approach. One veteran legislator said, "In this field, a great deal depends upon the governor and his ability to work with a partisan group. If a governor attempts to inject partisanship into his association with the Legislature, then he will fail with his program. . . ."

Another agreed and commented: "The liaison between the Legislature and the governor is good unless he becomes too political in his actions."

Other legislators frankly admitted that when it came to liaison between a partisan governor and a nonpartisan Legislature the governor sought out members of his own party within the legislative body.

"I believe this liaison exists," said one, "since I find that the governor tends to rely on members in the Legislature that he knows belong to his party."

A colleague agreed that liaison was not a problem for about the same reason. He said, "There are always enough representatives in the Legislature from both parties to provide liaison between the governor and the Legislature."

Several senators indicated without going into detail that a governor must tread a rather narrow path. One senator, who is for the shift to partisanship in the Legislature, warned that liaison is "O.K., except the governor has to be careful what he asks of them."

At least one legislator expressed his faith in the governor's negative power. He wrote that liaison has worked out fairly well so far, and he added: "The power of veto held by the governor is worth 26 votes. He can introduce a bill at any time. He is not handicapped."

Belong Apart

Another legislator simply felt that liaison was no problem because "the governor is the executive and should not concern himself with any legislation. The three main divisions of government have their individual responsibilities and should not infringe on the duties of others." He added a rebuke for some of his fellow legislators when he said, "I think the Legislature does not, or never has, assumed its full responsibilities."

These were the senators talking. These are the men who party leaders say are in an enviable position. In fact, party leaders who have long advocated a shift to partisanship in the Unicameral Legislature admit that they themselves as senators might not like the shift. As one party leader who has been quoted earlier put it, "A guy with a full house doesn't ask for a new deal."

How then does it look from the other side of the fence? How does it look from the governor's office?

As one governor put it, "In the Unicameral, the governor ordinarily doesn't try to take leadership in it. He is almost entirely out. If the governor sponsors something, the Legislature looks down on it. He only tries to stay in between politically and doesn't try to exhibit leadership."

All six of Nebraska's living governors agreed that there could be improvements in the relations between the Unicameral Legislature and the governors.

Roy Cochran, who was governor during the transitional period from the two-house to one-house system, describes the change

he had to make in his second term with the new Unicameral. From 1935 to 1937, Cochran said, his position of governor was well known in the two-house Legislature through the actions and statements of the Democratic party leaders.

Gap to Fill

"When I came to the 1937 session, I had the problem of filling this gap," he added.

Cochran explained the unique way he solved his problem. He said that radio was comparatively new at the time, and he began giving a 15-minute talk over a local radio station once a week.

"During the time the Legislature was in session, I talked about my position on certain matters each Sunday.

"The press services also got a copy of the speech and as a result the Lincoln and Omaha papers carried it Monday morning," he added.

And, according to the governor, each senator also in turn had a copy of a newspaper on his desk each Monday morning.

"Actually it was kind of a left-handed way of letting my position be known to the senators through the people," Cochran added.

So while Governor Cochran managed to solve his problem, the problem is still there. There are still no party leaders in the Unicameral Legislature for the governors to turn to for help. Where then does the governor turn for support or introduction of a bill? Who are the leaders in the Nebraska Legislature?

As Governor Cochran puts it, "There is no formal leadership. It's just like a Mexican army...all generals."

And Val Peterson said, "The

Unicameral Legislature discourages leadership per se."

The ex-ambassador to Denmark and governor of Nebraska from 1947 to 1953 said that there is no effective way to hold the entire membership in the Legislature responsible for their actions. Instead each member is elected from an individual area and does what the people in that area want.

Lieutenant Governor Dwight Burney said, "One of the weaknesses of the Legislature is that there is no leadership of the group."

Burney served as governor of Nebraska from September 1960 to January 1961 after the death of Governor Ralph Brooks.

Where does the governor go then for support if there is no group leader?

Robert Crosby, governor from 1953 to 1955, said that in each legislative session some men—by reason of personal ability and to a lesser extent their experience—are able to get more accomplished than other members are able to do. Crosby said, "I would go to the men who could get the most done because of their abilities." He explained that leadership develops along issues, or in other words several senators may feel strongly about redistricting or a sales tax and become leaders on these individual issues.

"With only 43 men sometimes even a first term develops this kind of leadership," added Crosby, who also is a former senator, speaker, and lieutenant governor.

A senator also gains respect on the kind of bill he introduces, according to Victor Anderson, governor from 1955 to 1959. Conduct as a loser helps, he said. If one of his bills loses, he shouldn't carry a grudge.

*'As it is,
not a single legislator
thinks about a party platform...'*

Regardless of these other qualities, according to Anderson, if the governor has a bill he would like to have introduced he approaches a senator who has interest in that bill and fight for it. To do this, he said, you have to know the senator's legislative record and his opinion on the subject.

Good Fight

"This is so he wouldn't get up before the Legislature and just say that he is introducing the bill for the governor, but so that he would strongly believe in the bill himself and put up a good fight for it," he added.

Governor Frank Morrison believes that leadership develops along the capacity of individuals to know what to talk about and to convince others. He said that the governor can then discuss with the individual senators matters that they are particularly interested in.

And Val Peterson feels that a governor gets to know all the senators as well as he can by visitation and then by persuasion bring them around to the governor's viewpoint on a subject. It also helps, he said, to get other people close to the legislators to help persuade them.

Dwight Burney, who has watched the legislative process for more than 15 years as a senator and lieutenant governor, feels the governor has some power through the process of legislative hearings. He said that the governor can go before a committee and testify on a certain bill.

"He can also have a bill drawn up and then ask any senator to sign it. The bill automatically then has to be introduced," he added.

Burney explained that the usual

procedure for the governor is first to go to the committee hearing and testify, and then call in individual senators and ask for their support on the bill. He said that it isn't too hard to find out which senators are in favor of a bill since each bill has three signers.

"The leaders of a bill then are usually those who introduced it and signed it. Also if a committee brings a bill out onto the floor, then the committee must be back of the bill and the governor can seek support from them," he added.

Would the liaison between the governor and the Legislature be more effective if the Legislature were partisan?

According to Val Peterson, "We could improve membership (in the Legislature) on a political basis only in one area." He explained that this would be in the area of debate during the election campaigns of the senators.

"We would have a more adequate and full debate of the issues during the campaign, and leadership and responsibility would be fixed for the results of legislation."

Develop Issues

About partisanship, Robert Crosby said, "In some respects it's bad for the state." Crosby feels that some issues could be developed and pushed better.

"For example," he added, "the governor and the Legislature could take a stand on an issue such as sales tax.

"As it is, not a single legislator thinks about a party platform after coming to Lincoln."

Crosby said that as the situation exists

The senators find a pleasant sense of independence.

now he "wouldn't think of putting the party into an issue unless you need it in something like redistricting, but not on education or highway programs."

The ex-governor said that the party plays practically no role in the Legislature now.

"When I was governor, some of my best help came from the Democrats in the Legislature," the Republican added.

Dwight Burney said that the "non-partisan part of the Legislature is a weak link."

He feels that a partisan Legislature would tend to strengthen partisan politics in the state. In turn, the party would have a platform, and the people would know what they are voting for.

"If we had a partisan Legislature, the liaison between the governor and the Legislature would be closer," Burney said.

"As it is now, the senators don't run on a platform, they run on their standing in their community. You only have to be against most everything to be elected," he added.

The lieutenant governor said that although partisanship was indistinct in the 1961 session, it has been stronger in other recent years. He attributed this to the close race for governor in 1958 when the Republicans asked for a recount of the ballots.

"The Democrats felt that they had to line the people up," he added.

Victor Anderson also feels that "non-partisanship in the Legislature is a downfall for the state."

Anderson said he thought there is more active leadership when there is partisanship, because "a man must run on a campaign and then deliver."

As it is now, Anderson says, the governor must walk a center line and not show any leadership.

Needs Role

"The legislators sometimes feel that the governor shouldn't take part in legislative proceedings, but as in business, the head needs to take active part," he added.

Roy Cochran, who says he is not a strong partisan, also is in favor of a strong two-party system. Under the old two-party system, Cochran said, if he had some objections to a bill, he would call in the party leader to make certain changes in the bill. He said that he felt this was better since the governor would do what was best for the state as a whole, not just for a district. Cochran also felt it was sort of a paradox the way the governor is elected in Nebraska. He said that now "the governor is elected on a party platform and then as soon as he takes office he becomes non-partisan."

Governor Frank Morrison admits that things would be easier for the governor if the majority of the Legislature belonged to

the same party, but he added, "partisanship tends to destroy the judgment of the individual and substitute his party likings."

"Collectivism or individualism, which is better?" he asked.

Morrison, who says he is an individualist, said he hated to see an individual submerged in a group, because there are too many disadvantages.

"The political parties will destroy themselves unless they change their approach. Now a party member goes against his own conscience because it is merely against the party platform," he said.

An Improvement

"As such, the Nebraska Legislature is an improvement because the men in it can base their decisions on their own conscience, and not as it is in the other case, just to destroy others," Morrison added.

The Governor concluded, "It is the test of the governor in the nonpartisan Legislature to use the tools the Legislature gives him, and then exert executive power for the betterment of the state."

Liaison between the governor and the Legislature? The definition obviously depends upon whether you are a governor or a legislator. The governors would find partisanship a way to ease their work. The senators find nonpartisanship gives a pleasant sense of independence to their work.

Nebraska Governors

| | | |
|-------------------------|--------------------------------|-----------|
| David Butler | ..... | 1867-1871 |
| W. H. James | ..... | 1871-1873 |
| Robert W. Furnas | ..... | 1873-1875 |
| Silas Garber | ..... | 1875-1879 |
| Albinus Nance | ..... | 1879-1883 |
| James W. Dawes | ..... | 1883-1887 |
| John M. Thayer | ... Feb. 8, 1887-Jan. 15, 1891 | |
| | May 5, 1891-Feb. 8, 1892-1893. | |
| James E. Boyd | Feb. 8, 1892-1893 | |
| Lorenzo Crouse | ..... | 1893-1895 |
| Silas A. Holcomb | ..... | 1895-1899 |
| William A. Poynter | ..... | 1899-1901 |
| Charles H. Dietrich | Jan. 3, 1901-May 1, 1901. | |
| Ezra P. Savage | ..... | 1901-1903 |
| John H. Mickey | ..... | 1903-1907 |
| George L. Sheldon | ..... | 1907-1909 |
| Ashtor C. Shallenberger | ... | 1909-1911 |
| Chester H. Aldrich | ..... | 1911-1913 |
| John H. Morehead | ..... | 1913-1917 |
| Keith Neville | ..... | 1917-1919 |
| Samuel R. McKelvie | ..... | 1919-1923 |
| Charles W. Bryan | ..... | 1923-1925 |
| Adam McMullen | ..... | 1925-1929 |
| Arthur J. Weaver | ..... | 1929-1931 |
| Charles W. Bryan | ..... | 1931-1935 |
| Robert Leroy Cochran | .... | 1935-1941 |
| Dwight Griswold | ..... | 1941-1947 |
| Val Peterson | ..... | 1947-1953 |
| Robert Crosby | ..... | 1953-1955 |
| Victor Anderson | ..... | 1955-1959 |
| Ralph G. Brooks | ..... | 1959-1961 |
| | (Died Sept. 9, 1960.) | |
| Dwight W. Burney | ..... | 1960-1961 |
| Franklin B. Morrison | ..... | 1961-1966 |
| Norbert T. Tiemann | ..... | 1967- |

Too Much Work?

Senators Like the

THE SENATORS who took part in this survey gave Nebraska's one-house Legislature the kind of a landslide vote they themselves would like to have at the polls.

Sixty-three of the 68 senators approved in one way or another the idea of a one-house legislature. Only four expressed disapproval enough to want to return to the two-house system.

Beyond the idea of a unicameral legislature into the details of its workings the senators were not nearly so unanimous. But so far as the one house itself was concerned there could be no doubt that these men who had served in its lone chamber felt it had been a resounding success.

They had found the house a fine place to do their job, but what did they have to say about their working conditions?

Did they feel they worked too hard?

Did they feel they turned out a quality product?

Did they feel there were ways to improve the product and so better serve their customers?

To these questions the senators had answers and suggestions to refine the system.

Typical of the way the senators backed the unicameral system was the comment of one who first explained that there were certain aspects of it that he did not like — for instance, nonpartisanship. But he added, "It is by all odds the most efficient form of state legislative process. I have discussed the matter with former members of the bicameral, have observed the bicamerals of other states in session, and

have discussed the matter with some of their members or former members. And to me, at least, there is simply no comparison. From the persons I have talked with in Nebraska who have observed both the old bicameral and the Unicameral Legislature, some of whom served . . . with both, the impression I get is that they feel the Unicameral Legislature is far superior."

Practically none of the senators were concerned about the lack of the checks and balances built into the bicameral system. One legislator explained the one-house system of checks and balances this way:

"I approve of the unicameral system because of the method of publishing hearing dates and the simple methods which permit any citizen of the state to express his or her views on any bill before the committee."

Public Is Heard

Another veteran legislator called upon Professor John Senning to express his viewpoint. He quoted Dr. Senning as saying, "The public hearings held by the Unicameral make the whole state the lower house."

When Nebraska's voters said "Yes" in 1934, they established the number of their legislators as "not more than 50." When the last of the bicameral legislators and Dr. Senning had completed their work of apportioning the state, they had trimmed the number of state legislators from 132 to 43.

Had this drastic cut almost tripled the work for the men who would serve in the

System — But...

Legislature? Or had Nebraska created a legislative system with a new brand of automation that made it possible for fewer men to do more work?

This survey showed that the large majority of the legislators felt their workload was heavy. But that did not mean this same majority thought their workload was too heavy. Of the 62 senators who commented on workload, 46 agreed that although the workload was heavy, they could handle it. Sixteen said it was entirely too heavy.

Even among those who felt they could handle the workload, there were many suggestions for making it lighter and more efficient. (These suggestions are included with the other suggestions at the end of this section of the survey).

Another point of agreement among senators who served in both the bicameral and Unicameral Legislatures was that the workload in the one-house system was heavier than in its predecessor. Only one or two of the veteran legislators felt the unicameral system had lightened the load.

From that point on the senators' comments on workload and the reasons for it were both interesting and sometimes startling.

One said that the workload is beyond the ability of all of us to handle . . ."

Kept Alert

Another added, "The workload per individual is heavier, of course, simply because 43 members do the work 133 formerly did."

A colleague gave a different reason. He

said, "I believe there is a greater workload on individual senators as they must be alert to almost every bill and cannot overlook some of the measures which may have been killed by the other house as is the situation in a two-house system."

Several legislators placed the problem directly on themselves and their fellow senators.

"There is an increased workload, it is true," one said, "but you know this when you file, and if you are unwilling to work for the interests of the people in your district, you had better stay home."

Another senator complained, "Most of the work is done by about 25 per cent of the members. Quite a number are there just for the ride, and don't know what is going on."

One legislator found another reason. "The so-called workload is not excessive in itself," he said. "It is the extracurricular activities and distractions that occupy too much time. It is the same thing that causes many failures of students leaving home and attending the university."

One of the reasons frequently given by observers for the heavy workload is that the smaller group of men have too many committee duties. About this, a legislator said:

"At present there are 11 committees on subject matter. There are five committees on administration and rules. This makes a total of 16 in all. There are only 43 men. The 11 committees on subject matter each has nine members, so each senator has to serve on at least two major committees."

But a number of senators felt that the size of the Legislature lent itself to better

committee work. One simply said the committee load was not excessive. He added, "The committee chairmen carry the heaviest workload, and very few ever complain."

An Education

Another senator found committee work an education toward better legislators. This lawmaker commented, "Service on several committees by each senator is helpful in knowing more of the proposed material. More are acquainted with and prepared to discuss measures on general file."

Finally, several of the senators commented on one of the unbreakable rules of Nebraska's unicameral system. That rule is that every bill that becomes law must have had a public hearing. As Dr. Senning and other pioneers of the system explained this rule, it was to provide an additional check and balance for the Unicameral Legislature. Several of the senators, however, pointed out that this requirement greatly increased the amount of committee work.

Directly related to the size of the Unicameral Legislature and the number of its members and their workload is the quality of their product — legislation. The senators participating in this survey were asked to assess — or run a quality control check, if you please — on their product.

On this question, as on several others, there was no series of clearcut majority opinions. There were one or two very general majority opinions. They were:

1. The majority of senators thought

plenty of bills were introduced and plenty were passed.

2. The majority felt that there should be some way to limit the number of bills that had to have complete consideration by the whole Legislature.

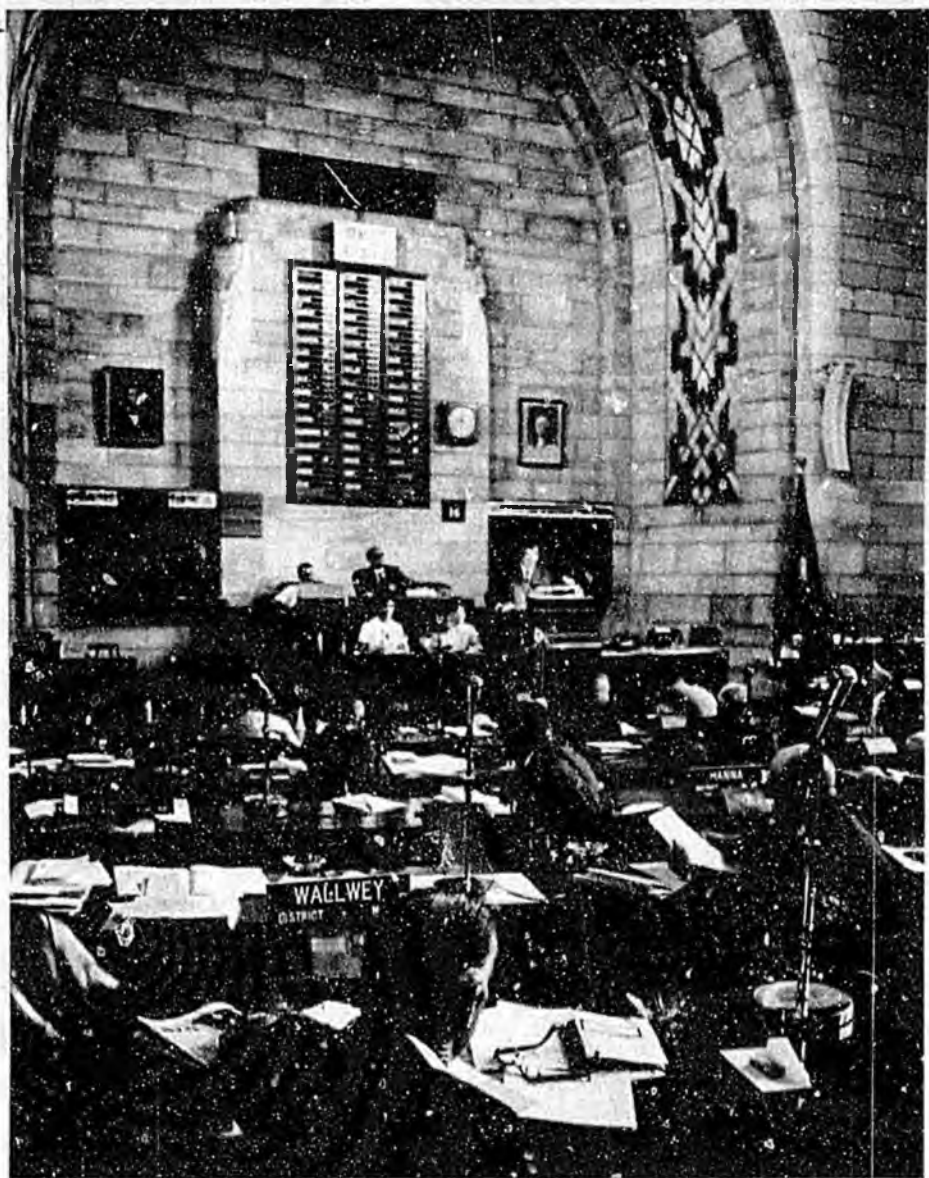
There was, of course, no disagreement on the point that the unicameral system had cut the overall number of bills introduced. The unicameral statistics compared with the number of bills produced in bicameral sessions of similar states showed that in most instances about half as many bills were introduced by Cornhusker senators.

When the senators talked of more legislation than was needed, they also talked about unnecessary legislation. Sometimes they meant inferior legislation. This was the way one senator described the situation:

"Unnecessary legislation has not in fact been eliminated, but I feel this is the fault of the senators and not the system. At the same time, new and progressive legislation has not been forthcoming and I feel this is caused by lack of leadership and clear public feeling. Again this is only partly caused by the system."

A colleague defended the senators, indicating that outside pressures caused the introduction of too many bills. He said, "The legislators are doing well to hold down as well as they do. If the legislators had their own way they would introduce fewer bills."

To a considerable number of the senators the number of bills, which has been running in the vicinity of 600 to 700



Senators are kept on their toes in the small one-house Legislature.

*'If the legislators
had their own way
they would introduce
fewer bills.'*

each session in recent years, was a little amazing. One said, "It is difficult for me to understand how 43 or 143 men can come up with 600 or more new ideas for legislation every two years."

Another made a point that statistics bear out when he added, "The number of bills introduced and passed seem to increase each session."

Several of the senators admitted that there were too many bills and that too many of these were unnecessary. But they sharply opposed reduction. One put it this way:

"In the matter of unnecessary bills, the fact is very evident that the public must be heard and even a few should be entitled to their hearing."

A colleague agreed: "In our democratic system, the amount of legislation is governed by the desires of the electorate and should not be limited. Unnecessary legislation is usually readily disposed of."

Perhaps the most valuable contribution the cooperating senators made in their comments on their workload and its products were their suggestions for changing the system to meet the problems they felt it faced. For clarity and reading ease, these suggestions have been divided into categories and listed. (Where senators duplicated ideas, one or two representative statements have been chosen. But wherever possible the complete quotation was retained.)

Legislative Aids

Legal Assistance

"There should be three or four paid

lawyers to help get information for the committees."

* * *

"I believe under the present system the senators should have professional help in order to know and understand what is in the bill. I do not mean that they should tell the senator that it is a good or bad bill. Just tell the senator what is in the bill and let the senator do his own thinking on the merit of the bill."

* * *

"It would be a great assistance if senators were given the assistance of law students or graduates who could aid in research of the many complicated issues which come before the Legislature. It is very difficult with the heavy schedule to delve into some matters that require extra study and research."

Research Assistance

"I believe that added trained research personnel could ease the workload to a considerable extent. This could be done by assigning trained personnel to the standing committees and making their services available to individual legislators."

* * *

"I do not favor proposals for student help as proposed by some unless a great deal of study is put into the program ahead of time and considerable orientation of students made. Ford Foundation funds are available on this. I can see where some senators would use research help a lot — others little — in fact, some senators would be prone to exploit the help, I fear — give them tasks too difficult or not needed."

(Ford Foundation funds were available but the Legislature voted not to provide the required matching funds.)

Secretaries for Senators

"Each member should have his own secretary and that would be the greatest aid a member could receive. The conflicts arising as to when a member can get a secretary and how long he can use her or him are numerous, continuous, and very frustrating."

Budget Administrator

"Perhaps a full-time budget administrator would be in greater need than any other one thing I could suggest."

Reduce Bills

Screening Processes

"There could be more consolidation of bills by committee and lower considerably the number of bills handled."

"There should be a way of checking on bills before they are introduced. About one-fourth of the bills are every year indefinitely postponed, in other words, should never have been introduced. I know that throwing them out beforehand does not set well with the would-be introducer, but I have always felt that the number of bills introduced could easily be cut in half without any loss and make for the rest being given better attention. When a session is drawn out it often makes for bad feelings and careless legislation at the end of the session. Hence a short session with fewer and only necessary and better bills would add to the quality."

* * *

"(1) Create two study groups to screen bills prior to introduction. Each group would have a distinct area of responsibility. (2) Bills introduced one session to be passed during next session (except emergency measures)."

* * *

"Senators should present outline (not complete) bill to the Committee on Committees. May be rejected here if useless legislation. Then assigned to a committee. If passed by committee, then presented in complete form to chamber."

Limit Introduction Period

"Make it more difficult to introduce bills after the first 20 legislative days."

* * *

"A 15 day bill introduction period, and a closer scrutiny of the need for legislation might help. No attempt to limit bill introduction by legislators should be made."

Limit Bills Per Senator

"No legislator should be allowed to introduce more than one bill in any session. No bill should be passed without two-thirds majority, regardless of the number of legislators."

* * *

"I would suggest that the Rules Committee set up a limit on the number of bills each senator should be allowed to introduce at any session. This would eliminate many of the bills that never were of any good to the people as a whole."

Session and Terms

"I would suggest that the Legislature

meet for 90 days each year and every other year being devoted entirely to budget and revenue and every other to legislative matters."

* * *

"I believe that legislators should be elected for a four-year term and on a staggered base so that half would at all times have experience in the workings of the Legislature. And I would also suggest yearly sessions where bills would be introduced at the first session and then lay over so that they can be studied and then go back the next spring and take action on them."

* * *

"No. 1. I would elect a legislator for a term of six years. No. 2. A legislator would have to be at least 45 years of age, and have conducted a private business successfully. No. 3. He could not succeed himself for at least another 6 years. No. 4. One third to be elected every two years. No. 5. The last two years of his term he would have to put in his entire time at state business. They, the one-third, would serve as heads of all state bureaus. No. 6. The pay should be remunerative and I think less expensive than the present set-up. No. 7. If this set-up were adopted, I think it would be the best form of government."

* * *

"I would suggest shorter sessions, say 90 days, and have them annually."

Choose Up Sides

"Divide the membership of the Legislature into odd and even numbers,

and pit them against each other. Too simple to consider? We think not. That type of procedure is used at Boys State. Even there it is recognized good legislation cannot be had with everyone trying to go the same direction at the same time. There is too much legislative fraternalism among members, in the early stages of the session, under the present system. When the Pros and Cons square off in earnest the people are apt to get a much better deal."

Omnibus Bill

"There are too many separate bills partly because of omnibus correction bill is not possible and because there is not enough correlation between senators offering bills on the same general subject. I feel that inconsequential and even silly legislation is put in because the senators do not study legislation when they are not in session but wait for individuals and organizations to offer bills just before the session commences. As a result, many bills are introduced with the knowledge that they may be withdrawn later."

Citizens' Committee

"It has long been a favorite theory of mine that the efficiency of the Legislature could be much improved by the creation of a group of nonpartisan citizens whose job would be to act solely as a committee hearing members. With the exception of the Budget Committee, their job would be only with the bills assigned to the committees on which they would serve and to hold public hearings and determine the

fate of the bill with complete independence of the senators themselves, excepting, of course, the testimony of the introducers and any other senators appearing before the committee pro or con. This would not take away the right of the Senate body to raise any bill which they saw fit to in the same manner as at present. . . I realize that such a theory, if put into practice, could create very powerful committees but if proper safeguards such as the Senate body override were properly set up, this power could be held to a harmless minimum. This would not necessarily have to be a large group, perhaps six or seven members to be elected from each of the three new Congressional districts and possibly three at large, to be assigned to the various committees on which they would serve by the Senate as a whole. Since these members would serve only during the period of public hearings and would be spending full days at their work, and considering the time that might be saved by the entire body, the net result might be a saving in money as well as a possible gain in overall efficiency in Nebraska Government.

EDITOR'S NOTE — Changes have taken place in some of the conditions discussed by the senators in the survey in 1961. For example, senators' terms have been lengthened to four years, as suggested by at least one senator in the survey. The 1969 legislature passed four resolutions that instructed the Executive Board of the Legislative Council to study ways of improving procedures in the Legislature. The Board's report is not yet available.

| Bicameral, Bills | | |
|-------------------|-----------------|----------|
| | Introduced | Passed |
| 1917 |1135 |273 |
| 1918 | (Special) ...19 |12 |
| 1919 |848 |300 |
| 1919 | (Special) ...3 |3 |
| 1919 | (Special) ...4 |4 |
| 1921 |975 |313 |
| 1922 | (Special) ...16 |11 |
| 1923 |1057 |193 |
| 1925 |733 |186 |
| 1927 |947 |198 |
| 1929 |896 |200 |
| 1930 | (Special) ...27 |9 |
| 1931 |872 |164 |
| 1931 | (Special) ...11 |8 |
| 1933 |1082 |163 |
| 1935 |1056 |192 |
| 1935 | (Special) ...54 |35 |
| Unicameral, Bills | | |
| | Introduced | Passed |
| 1937 |581 |214 |
| 1939 |523 |138 |
| 1940 | (Special) ...8 |6 |
| 1941 |515 |196 |
| 1943 |446 |240 |
| 1944 | (Special) ...6 |6 |
| 1945 |395 |260 |
| 1946 | (Special) ...10 |8 |
| 1947 |588 |358 |
| 1949 |546 |318 |
| 1951 |562 |354 |
| 1952 | (Special) ...2 |2 |
| 1952 | (Special) ...8 |8 |
| 1953 |595 |369 |
| 1954 | (Special) ...10 |6 |
| 1955 |559 |354 |
| 1957 |615 |404 |
| 1959 |739 |475 |
| 1960 | (Special) ...3 |3 |
| 1960 | (Special) ...2 |2 |
| 1961 |737 |465 |
| 1963 | 73rd .....815 |545 |
| 1963 | (Special) ...26 |17 |
| 1965 | 75th .....937 |584 |
| 1966 | (Special) ...3 |3 |
| 1967 | 77th .....947 |632 |
| 1968 | (Special) ...6 |2 |
| 1968 | (Special) ...3 |2 |
| 1969 | 80th .....1440 |858 |
| 1970 | (Special) ...7 |6 |

Always Good for a Fight:

Apportionment Poses

THERE ARE many political truisms. Some of them are true, and others, as veteran observers will point out, are simply clever.

But there is one truism upon which you can get nearly unanimous opinion from those who deal in politics. That one is—"a sure way to start a fight in a legislative body is to suggest that its members reapportion themselves."

This has been a fight-starting issue since Nebraska first became a territory and it was not lessened necessarily after the adoption of the unicameral system. There have been from one to a half-dozen bills offered to almost every session of the Unicameral Legislature on the subject of reapportionment.

And the senators who took part in this survey were in as much disagreement as those who quote the truism with respect. But before examining their viewpoints, the first question to be answered is: What is apportionment?

According to Nebraska's constitution, it means dividing the state into districts having near equal population. One senator represents one district. The present 1961 apportionment took place in 1935 with the advent of the Unicameral Legislature, and the districting was based on 1930 census figures.

In 1935, Dr. John P. Senning and the bicameral committees on the forthcoming Unicameral Legislature set about their work. Perhaps they reflected upon the state's history in this area of reapportionment. Perhaps they remembered

that Nebraska started out its territorial history with a 13-year quarrel over the original apportionment of the state and the subsequent location of the territorial capital at Omaha. Perhaps they remembered the bitter battle before the state capital was moved from Omaha in 1867. Perhaps they remembered that their legislative predecessors of those early days had literally resorted to fists and guns over apportionment.

Delicate Job

At any rate, Dr. Senning and the committees went about their work with care. In his book, *The One-House Legislature*, Dr. Senning wrote:

"To determine an equable representation between the minimum of 30 and the maximum of 50 districts, the committees utilized all available means of research. More than 30 maps were drawn to illustrate the possibilities of districting.... The reaction to this publicity was instantaneous. Delegations from various sections of the state appeared before the unicameral committees to argue either for a realignment of their county or to have it set off by itself as a single district...."

Senning described how that last bicameral session wrestled over its problem. For weeks no official action was taken while members hoped for the wisdom of Solomon. During the deliberations, Senator George Norris appeared before the Legislature but he kept his promise that he would not attempt to influence the legislators in their search

Tough Problems

for a blueprint for a one-house system. On February 14, 1935, he told the lawmakers: "I have kept my promise inviolate and have no word to say to anyone as to what I think you should do." He explained that he was sure that no districting plan would be entirely acceptable and that as in all important legislation, concessions must be made.

Senning explained how the two houses worried over the number of legislators in the unicameral body. The conference committee recommended the number 43 when the Senate and House figures did not agree. This figure was rejected. A second conference committee also recommended the number 43. This figure was rejected again. But finally on May 16, 1935, the number had been accepted by both houses, and the governor signed it into law May 18.

So Nebraska's unique system of state government had become an accomplished fact and the state's voters began to pick 43 men every two years to make it run. How has it run? How has that apportionment served the state?

These questions were put to the 68 senators who participated in this survey. Their answers indicated that after almost a quarter of a century of the unicameral system there is no sizable majority opinion. But some conclusions may be drawn from an analysis of their replies.

For example, 33 said there should be more members than the present 43. Thirty believed the present number is sufficient. Several advocated fewer legislators or quite radical departures from usual systems.

This did not mean that all those who wanted more senators wanted to redistrict the state. In fact, of those who commented on reapportionment—redistricting—only 25 said the state should be redivided. Thirty-one wanted the districts left as they are.

How much did the senators want to change the present body? That varied from a total of 49 in one house to as many as 100 in a return to the two-house system. The figure mentioned most frequently was 50.

What Basis?

On what basis did the senators want their state reapportioned? Although this was an area where a simple yes or no was nearly impossible, it appeared that about 39 senators would base reapportionment primarily on population. A very small number would make it totally on area, and about a dozen outspokenly favored a combination of area and population.

Dr. A. B. Winter of the University of Nebraska political science department helped explain why reapportionment becomes so complicated.

"A facet of political dynamics—this is the most apt description," he said. "This is as specific as is possible about a non-specific subject.

"Unicameral or bicameral, populational or geographical apportionment, partisan or non-partisan system—these are only rough frameworks outlined in constitutions."

He explained that elements behind the dynamics consist of rural versus urban,

Early cartoon shows battle
in territorial legislature,
where apportionment was a hot issue.



political group versus political group,
racial interests, religious interests, etc.

All at Work

These dynamics—or forces—all are at work where reapportionment is involved. To find them in Nebraska you need only turn to the state's history. There you will find:

- East versus West.
- North of the Platte versus south of the Platte.
- City dwellers (urban) versus country dwellers (rural).
- Omaha and Lincoln versus the rest of the state.
- Omaha versus Lincoln.
- Ranchers versus farmers.
- Agriculture versus industry.

These are the interests that reach the boiling point, observers point out, when reapportionment is the subject. The senators who participated in this survey were all aware of these dynamics. Their reasons for wanting a change or the lack of it were as widely varied as the divisions of interest.

Some of those who wanted a change did so on what might be called the dynamics of the rules of the Legislature. Many of the senators who proposed an increase of from 6 to 8 members did so because they felt it

would ease the workload. A typical comment was:

"There should be at least 50. There is too much committee work, which means bills are not fully understood or thoroughly discussed."

A smaller group of senators took the opposite viewpoint. Basically, they said that there was no need to increase the number of senators to lighten the workload.

One of this mind said, "It makes no difference in the number of legislators. A certain per cent are sent to the Legislature by special groups to get specific legislation. The rest go for various personal reasons, or no reason at all."

But this senator's colleagues were not so hard on their fellow legislators. In fact, they praised the quality of the senators. One put it this way:

"I think there are enough. If you increase the number, you lighten the load and reduce the responsibility of the type who serve because they feel they are giving a real service. If you reduce the responsibility, you reduce the quality, in my opinion."

Another legislator agreed and added, "An increase in numbers is self-defeating."

At least one senator objected to the bills that are introduced biennially to reapportion the state. "The only reason for



these bills is not because there is a need for more senators," he said, "but a selfish motive on the part of the introducers wanting more control in their respective districts. I think the (present) set-up is fair."

Two senators actually proposed a reduction in the number of legislators. They reasoned that 43 men are turning out more bills than necessary.

People Move

Many senators gave the shift in population as their reason for wanting a reapportionment. Time after time they pointed out how the state's population had shifted since the 1930 census, which was the basis for the original unicameral apportionment. One spoke the thoughts of several when he said, "The present 43 districts so far as apportionment goes perhaps call for some reapportionment to be considered. Originally each district was to contain approximately 35,000 people. Because of the shifting population, this has greatly changed until about 50 per cent of the districts have less than that number."

(According to the 1960 census figures, 29 of the 43 districts have less than 35,000 population. While the 1960 census figures do not break down into districts within counties, it appears there are several districts in Lancaster and Douglas counties over 50,000 population.)

Another senator spoke for several when

he said, "I have never felt that sheer numbers should command representation, thus making necessary reapportionment with each shift of population."

This question of whether apportionment should be based upon population, or area, or both, brings into play a number of Dr. Winter's dynamics.

In the United States the recognition that both population and area may command representation starts with the history of U.S. Congress. Throughout the country's history, the Senate has been based upon area—two senators per state—no matter what the population. The House, on the other hand, has been strictly on the basis of population with reapportionment coming after each 10-year census.

But even when Nebraska had two houses, the members were chosen by population. So the shift to the unicameral system was not as violent as it might have been.

The senators participating in the survey were aware of the dynamics of area and population. One of them put his view this way:

"To me, legislators primarily represent people because in the people are included the problems that arise because of land holdings, highways, and all other parts of the state. In my opinion, representation now in our Legislature is badly out of line, and to a certain extent our lack of legislative progress reflects this. I feel

that greater emphasis should be placed on representation of people with very little emphasis given to area. Therefore I would favor an increase to 50 members with reapportionment to bring a greater number of senators who represent the more populous areas."

Another legislator, obviously from a populous area, stated his case this way:

"I believe we should have at least six more (legislators). On a population basis my district, for instance, is as much as 15 or 18 times larger than some. I have 140,000 people in it...." He went on to explain that other districts have only a fourth or a fifth that much population.

A fellow senator said present legislative districts were all right except "in a few instances where little counties are tied to large ones." But he doubted that any changes could be made "since Omaha would want too much."

That question of what to do about the state's population centers of Omaha and Lincoln was mentioned frequently. But one senator did not consider the problem too serious. He put it this way:

"The large centers like Lincoln and Omaha receive about all they ask for. If the situation were reversed, the other side might find cause for complaint, too."

An examination of the Nebraska census figures from 1930 to 1960 explains the concern of these senators. There is little question that the population has been shifting.

Farm Loss

To include another facet of Nebraska apportionment dynamics, census figures

have been assembled on rural farm population. The ways people make their livings also are considered in the tug and pull of apportionment. Since Nebraska has been considered primarily an agricultural state the population of this farm group was traced. It is important to understand that this is the farm population, not simply the total population of people who do not live in cities. Obviously, there is a considerable numerical difference between farm population and the total rural population.

Here is the way Nebraska's population shifted during that period:

| Year | Total Population | Rural Farm Population |
|------|------------------|-----------------------|
| 1930 | 1,377,963 | 582,981 |
| 1940 | 1,315,834 | 495,477 |
| 1950 | 1,325,510 | 391,435 |
| 1960 | 1,411,330 | ..... |

Since Douglas and Lancaster counties, the homes of Omaha and Lincoln, were consistently cited by the senators, an examination of these counties helps explain the problem.

First, compare Douglas County, with seven legislative districts (in 1961; it now has 12), with a rural district (1961) including Wheeler, Valley, Greeley, and Howard counties.

| Douglas County | | |
|----------------|------------------|-----------------------|
| Year | Total Population | Rural Farm Population |
| 1930 | 232,982 | 7,401 |
| 1940 | 247,562 | 7,029 |
| 1950 | 281,020 | 4,965 |
| 1960 | 343,490 | Unavailable |

The following figures cover the same period for the rural district.

| Year | Total Population | Rural Farm Population |
|------|------------------|-----------------------|
| 1930 | 30,330 | 20,304 |
| 1940 | 25,600 | 15,911 |
| 1950 | 21,579 | 11,956 |
| 1960 | 19,023 | Unavailable |

The census takers changed the questions being asked to determine rural farm population between the 1940 and 1950 censuses. It is estimated that approximately 9 per cent more persons would have been classified as farm residents had the earlier methods been used. But even with these changes the farm-to-city trend would still have been evident.

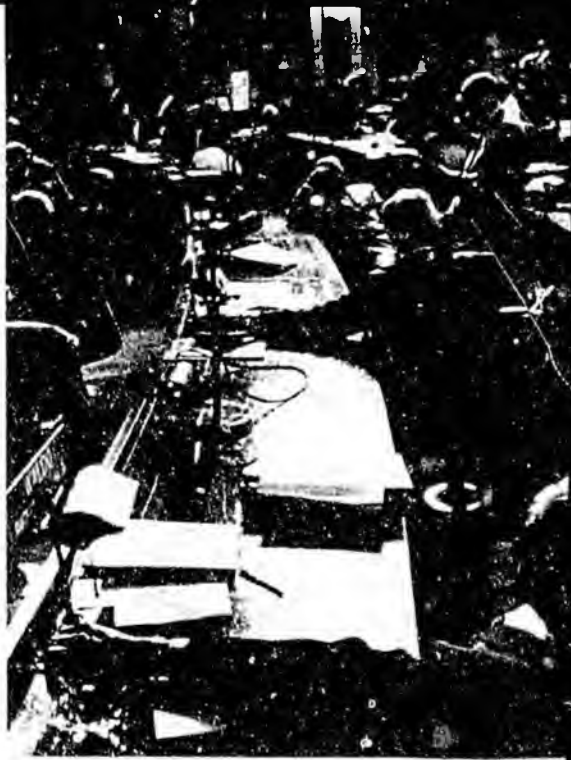
Now, a look at Lancaster County, the other populous area most frequently cited by the senators. Lancaster includes Districts 18 through 20 (In 1961; it now has six districts). Here is what happened between 1930 and 1960:

| Year | Total Population | Rural Farm Population |
|------|------------------|-----------------------|
| 1930 | 100,324 | 13,200 |
| 1940 | 100,585 | 11,054 |
| 1950 | 119,742 | 8,663 |
| 1960 | 155,272 | Unavailable |

For comparison examine the (1961) district that includes Cherry, Brown, and Sheridan counties. This area is primarily a ranching region.

| Year | Total Population | Rural Farm Population |
|------|------------------|-----------------------|
| 1930 | 27,463 | 16,609 |
| 1940 | 25,468 | 13,937 |
| 1950 | 23,100 | 10,859 |
| 1960 | 21,703 | Unavailable |

Between 1930 and 1950, 22 legislative districts showed a decrease in total and



Senators push vote buttons.

farm population. The same 22 decreased in total population between 1950 and 1960.

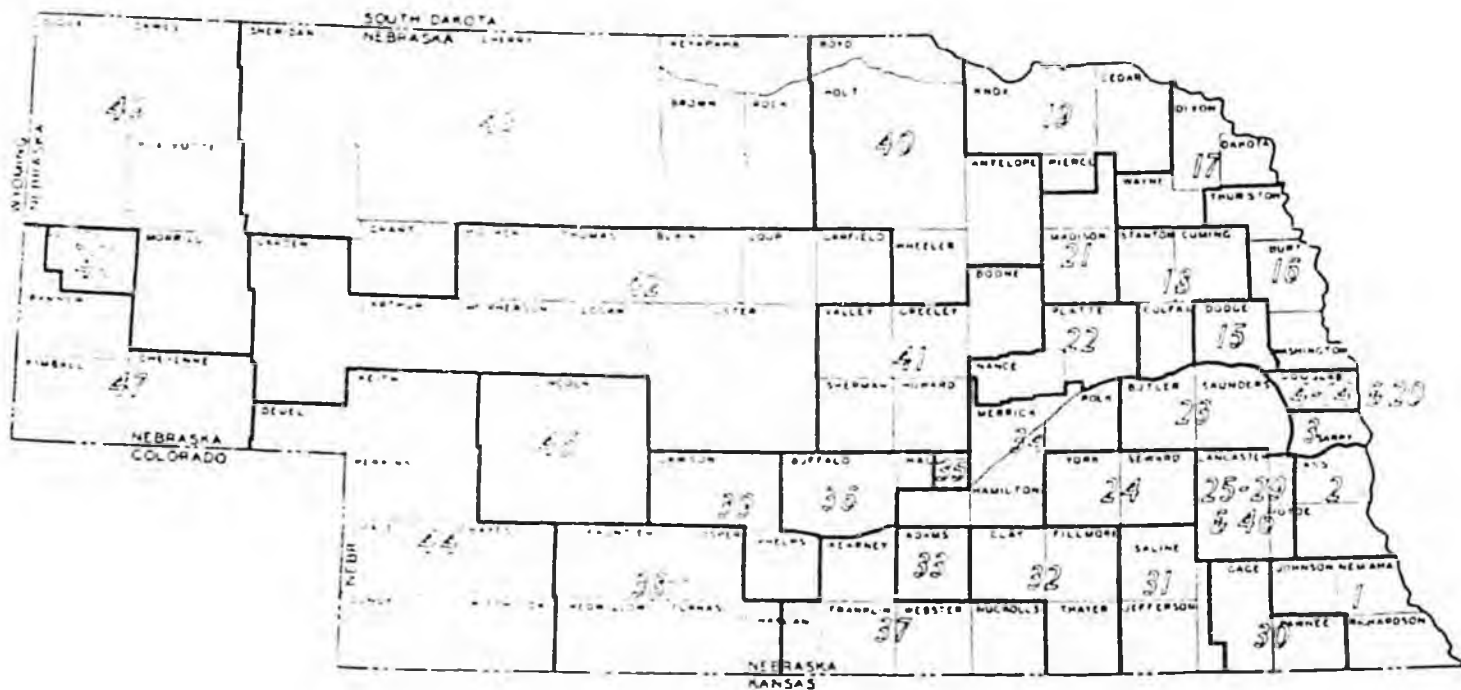
Fourteen districts, including those in Lancaster and Douglas counties, showed an increase in total population between 1930 and 1960. The same districts showed a general trend toward a decreased farm population. They also were districts located in the state's populous areas with relatively large cities.

Others Stable

The remaining districts also were located near cities, but included large rural areas. These districts had remained relatively stable over the 30-year period but also had shown a decreased farm population.

The problems of this shift in population were commented upon by a number of the senators. One of them explained the problem in western Nebraska. He said there should be more members in the Legislature because "members in the

Nebraska Legislative Districts, 1971



western section of the state have to represent too many counties and some of them have different interests."

The same idea with a variation was expressed by a colleague who put it this way:

"I believe in the near future the Legislature may well provide for at least 50 members in the Legislature in order to provide more representatives in over-populated areas and to limit some of the larger districts to fewer counties. Sometimes senators are placed in embarrassing positions when one county in their district requests passage of certain bills which another county in their district may oppose."

Another senator expressed the viewpoint of the less populated districts like this:

"The most important economic areas of Nebraska are practically without representation while Omaha and Lincoln control the state. In addition to 43 senators elected from districts up on population basis, area representation should be achieved by giving each two counties one senator (Cherry County one) for a total of 90 members."

(According to the 1960 census, Lancaster and Douglas counties, with less than 25 per cent of the senators, have more than 35 per cent of the population.)

Some of the legislators were worried about the small number of Nebraska senators for quite different reasons.

A Potent Few

"I believe there should be more legislators," one said. "I believe there are too many bills passed that are not good for the state with a mere 22-vote majority."

A small minority of senators thought the answer was a return to the two-house system.

At least one senator pointed out that the shifting population had also, in practice, shifted the representation from population to a combination of population and area. He could see, for this reason, no sense in changing the present number of districts.

He said, "We must strive in a one-house Legislature to maintain an average that is a median between area and population, much as it is now."

Another legislator, who served in the early unicameral sessions, felt that reapportionment today could be easier than in the 1930s.

"Conditions are so different today than they were at that time," he said, "there is no actual experience for a comparison. However, I feel certain that the problems of apportionment could be more easily worked out today than under the old two-house system."

* * *

A Reminder

This article on apportionment was included in this new edition of the School of Journalism report primarily for the historical material it contains and for the view it gives of legislators' attitudes toward apportionment in 1961. The reader will recognize that many of the conditions that existed then have changed and that many of the ideas expressed predated the U.S. Supreme Court's "one man-one vote" decisions of the 1960s.

The original report also contained, along with the map of legislative districts, a table showing the decennial population of each district from 1930 through 1960. This allowed convenient comparison of population trends because the 43 legislative districts in 1961 were the same as they were at the beginning of the Unicameral Legislature in 1937. But since 1961 the legislative districts have been increased to 49 and district lines have been redrawn so it is no longer convenient to compare in table form the 1961 District 35 (Custer, Loup, and Garfield Counties), for example, with the 1970 District 35 (approximately the northeastern quarter of Hall County). Because of the confusion that would arise from trying to make such comparisons, the table of district populations has been omitted.

And for the Women...

The women of Nebraska have been represented in the state's Legislature, too — although not in proportion to their share of the population.

Ten women served in the bicameral legislatures before 1937. Eight have served in the Unicameral Legislature. They are:

Nell Krause of Albion. Served in special 1946 session after appointment to fill unexpired term.

Fay O. Britt of Lincoln. Served in special 1954 session after appointment to fill unexpired term of her late husband.

Kathleen Foote of Axtell. First woman to be elected to the Unicameral Legislature. Served two terms, 1955 and 1957.

Fern Hubbard Orme of Lincoln. First elected to the 1959 session, has served continuously since. Re-elected to a four-year term in 1968.

Fannie B. Wylie of Elgin. Served in 1964 after she was appointed to fill the vacancy left by the death of her husband.

Calista Cooper Hughes of Humboldt. Served in 1965 through 1967 sessions after election to a four-year term in 1964.

Ellen E. Craft of North Platte. Appointed in 1966 to fill the unexpired term of her late husband. Elected to a four-year term in 1968.

Florence B. Reynolds of Omaha. Elected to a four-year term in 1966.

Effect of Lobbies:

That 'Other House'

TO MANY people, the word "lobbyist" has an unpleasant meaning. But to a large number of the senators who co-operated in this survey the word had no such flavor. In fact, to many it meant an important aid for good legislation.

In 1934 when Nebraskans were voting on the amendment to give them a unicameral legislature, they heard a good deal about lobbying. For instance, George Norris said the unicameral idea would eliminate the "third house," which is yet another title for those who bring the viewpoint of a special interest group to the attention of legislators. During that campaign there were many who agreed with Senator Norris and many who disagreed.

No Bosses

It was felt by some that a single house with a small group of men would be so easily observed that lobbyists would lose their influence. These supporters also believed that without partisan leaders the lobbyists would have to concentrate on 43 men rather than on a few party leaders in the Legislature. At the very least, they said, the lobbyists would have to convince 22 senators, a bare majority of the one house.

The opposition argued that the smaller group of men would merely simplify the lobbyist's job. He would, they said, have only to deal with 43 men instead of 133, the number in the two-house system.

After almost 25 years of a Unicameral Legislature, the senators who have served in it are still not entirely in agreement.

But, this survey does show some clear-cut viewpoints of the lobbyist and the Legislature.

For instance, of the 64 senators who commented on lobbying, 41 felt that the lobbying situation is improved under the unicameral system. The other 23 believed that the Unicameral Legislature had either failed to improve the situation or had worsened it.

Among the majority the idea of a helpful lobbyist was advanced time after time. One put it this way:

"I feel that lobbying is the right of the people to give their ideas and views of legislation to legislators by lobbyists. Lobbying as such is beneficial to legislators who are unacquainted or uninformed on laws being considered."

Another said, "Anyone not familiar with the reason for honest lobbying just doesn't know what it is all about. After all, just because I am elected a public servant does not endow me with any political wisdom."

These Senators recognized both "good" and "bad" lobbyists. One put it this way:

"A good lobbyist is held in high regard."

Another legislator rated his colleagues with reference to lobbyists. He said, "Lobbyists are a help to a good legislator, but they are a nuisance to one who is not so good."

"If you are a weak sister, the lobbyist will influence you whether it be a one or two house," a legislator said. "I believe they can be a great help to any legislator in furnishing information that a legislator does not have time to look up. Then it is up to him to pick the good from the bad and make his decision."

*Some said citizens
could watch small house,
lobbies would lose influence*

Level Raised

Several senators tied closely the relation of good senators to good lobbyists. They felt that the Unicameral Legislature had attracted a quality senator. Subsequently, they also felt that the quality of the lobbyist had improved. One said, "Good lobbying influence has been increased under the Unicameral while bad (not in the public interest) has been largely eliminated."

A minority of the senators surveyed had less complimentary things to say about the influence of lobbyists. One put it bluntly, "This system (unicameral) is a lobbyist's dream."

Another added, "I believe that the lobby has too much power."

One senator explained his viewpoint this way:

"I feel as though because of the one-house Legislature the lobbyists have a much better opportunity to be effective than they would with the two-house."

A colleague disagreed:

"I think the smaller legislative body is less easy to influence than a large body would be since there is better control. I also know that reports you hear about the lobbyists are very much exaggerated. I found them very useful, since I could get both sides of the question, and it helped me to make decisions."

With the term "lobbyist" many people have associated the idea of gifts and favors given public officeholders. Very few of the senators in this survey even commented on this aspect of lobbying as a problem. But, one of them pointed out that "perhaps the unicameral system costs the special

interest groups a little less money since there are fewer to entertain. . . ."

Another went to some length when he said: "Influence to me is a matter of the individual. You can get helpful information from a lobbyist if you use it as such. However, if you accept all of his gratuities, you are in a poor position to use any information you get. Better pay for the senators may help to cut down on the acceptance of these offers, as I know it was tempting to cut down on expenses, where as a matter of fact, your pay did not cover expenses."

A colleague put it bluntly: "If you are inclined to accept favors (money or meals) the size of the body won't matter."

Finally, several of the senators included as a lobbyist the pressure groups from back home. One said, "The lobbying as such is not bad. The pressure groups at home are the real threat."

Another defended the pressure groups at home: "The legislator's thinking is based on his opinion and those of the 'folks back home.' I don't think lobbyists really affect legislative opinions at all. Speaking for myself, I listened to what lobbyists had to say, but didn't let them sway me."

These were the senators talking. How about the lobbyists?

First who are they?

This information is easily obtainable since under Nebraska law the lobbyist is required to register and identify the organization he represents. He does this in the secretary of state's office. He is also required to present an expense report each month to the secretary of state. In this report, he is to list his salary and the expenses incurred in exercising his lobbying



Relief and inscription over main door of Capitol

activities. Failure to submit this report makes the lobbyist liable to a fine of \$5,000 and or one year's imprisonment.

While it is assumed that under this law the report is open to audit, thus far in the history of the Unicameral Legislature, observers point out, no such audit has been conducted.

The registered lobbyists represent a great variety of organizations. In the 1961 session 121 lobbyists represented 128 organizations. (This does not include the state agencies, whose representatives are not required to register.)

Here is the way the list broke down. The largest lobby bloc represented insurance with 17 companies or associations. Utilities were next with 14. Representatives of 12 associations indicated the interest in farming and ranching. Professional societies (medicine, pharmacy, etc.) numbered 10, as did retail

merchant organizations. Nine unions were represented with a majority associated with railroads. Civic and investment organizations each accounted for nine. Six lobbyists represented liquor interests. And six companies hire their own lobbyists to represent them in the Unicameral Legislature. Transportation of raw materials and finished goods by motor freight were represented by seven lobbyists from four organizations. Education associations (not institutions) had five lobbyists from three associations. The morals of the state found champions in three lobbyists representing churches, temperance, etc. Banking also had three representatives. And three persons listed themselves as representing "Self." Petroleum and cooperatives completed the list with two representatives each.

Now, how do these lobbyists feel about their jobs?

One of them pointed out quickly that it was his experience that an occasional lunch or a cigar were as far as he felt a lobbyist dared go in setting the stage for a friendly conversation with a senator.

"To do otherwise," he said, "will prejudice the lobbyist for all time and severely limit his future usefulness."

Observers point out that it has been a practice for some time for a lobby or lobbies to provide free lunches for any senator who wanted them.

Expert Help

Several of the lobbyists felt part of their function was to give technical information without which legislative errors might be made.

One former senator recalled problems in

drafting legislation regarding Rural Electrification Administration power lines. The power lines had set up "interference fields" which made it almost impossible to talk on several rural telephone lines. This senator recalls that the bill that was passed to rectify the problem could not have been satisfactorily drafted without the technical assistance of the REA lobbyist.

Perhaps the lobbyists' viewpoint of the Unicameral Legislature was best summarized by a Statehouse veteran who denied that there was "under-the-table" dealing. He said:

"In our work, it is just as important to remember that 22 senators can kill a bill as it is to try to influence an equal number in favor of it."

Part III:

The Machinery

Between Sessions:

Work with Less

"**N**OW THAT," say many visitors to Nebraska's Unicameral Legislature, "is the kind of job I would like to have. Those senators work only six months out of every two years."

These visitors are normally about one-fourth right. For six months of their two-year term the senators make laws under the hot klieg lights of statewide publicity.

During the remaining 18 months the senators do the other three-fourths of their job with a good deal less fanfare. As members of committees of the Legislative Council the senators take time from their private jobs to do law-making research.

But the senators do not do the job alone nor without technical assistance. A director and his staff assist in this relatively unpublicized research job.

Why a Legislative Council?

Because, political scientists point out, lawmaking is not simply a one-shot arrangement each two years. It needs to have continuity from session to session. It needs to have the advantage of research and technical assistance.

In Nebraska particularly, political scientists say, the nonpartisan nature of the Legislature as well as its small size make continuity a problem. For instance, without continuity how can a legislative program in an individual area carry over from session to session? Upon what do senators lean in knowing where legislation is necessary? These are just two of the many questions the Legislative Council attempts to answer.

The senators and the Legislative Council staff members go to work in search of the answers just as soon as committees can be

appointed at the end of the regular legislative session. Dr. Jack Rodgers, Council director since 1954, said that senators are given an opportunity to voice a committee preference. However, final decisions are made by the Council's Executive Board composed of the chairman and the vice chairman of the Council, the speaker of the Legislature, and the chairman of the Committee on Committees.

Each senator serves on from two to three Council committees during the approximately 18-month period.

What do they look into in the off-legislative season? They can and have looked into almost anything regarding Nebraska legislation.

Wide Range

Historically, the Council's 138 major studies have included local government, birth registration, groundwater use, mothers' pensions, public power, interstate toll bridges, district courts, religious societies, state highway construction, and even murals and panels for the state Capitol. Taxation has been studied 17 times and education 13 times.

Just how the Council goes about assembling those reports is most easily understood by following one of them through the process of lawmaking research.

In 1958 one of the studies was on consumer credit. That report had its beginnings when various Nebraska groups dealing with consumer credit asked that legal boundaries be set on revolving credit agreements and installment sales. Ideas

Fanfare

By Nancy Whitford

for reports may originate with the public as well as the Legislature, Rodgers explained.)

There was, at the time the Council's work started, a climate favorable to credit purchasing. Rodgers described it this way:

"Technology had placed the automobile and other durable goods such as washers, freezers, and air conditioners within reach of the average consumer — if arrangements could be made to finance them over a period of time.

"Banks had expanded installment loan departments, retail sellers had established credit systems, and consumer finance companies grew in number.

"Installment credit buying alone increased from \$1, million in 1920 to \$34 million in 1957."

Rodgers and his office staff, which includes Mrs. Marguerite M. Price, assistant director, and Helen S. Griess, research assistant, gathered the preliminary data. This early research involved a study of legal and financial problems and contact with other states to learn what has been done elsewhere.

This information was presented to each member of the committee. Then came six public hearings to gain more information and opinions.

The testimony was then summarized and the committee met in executive session to add its own recommendations.

Basis Laid

When the 1959 Unicameral Legislature met it had research, public opinion, and recommendations upon which to base its

lawmaking. Two laws resulted from this study of the complicated business of credit. One, LB301, regulated revolving credit agreements, and LB652 governed installment sales.

Rodgers believes the Council is successful in such cases as this "because the committees start with the general problem and work toward legislation that is acceptable to those concerned with the area studied."

During three recent bienniums, nearly 60 per cent of the Council's recommendations presented to the Legislature have been enacted into law. In 1955, 17 of 27 recommendations became law; in 1957, 24 of 42; and in 1959, 18 of 30. No earlier comparisons are available since the practice of listing recommendations that became law did not begin until Rodgers' appointment in 1954.

Rodgers is the third man to hold the position of director of the Council. Hugo Srb was appointed temporary director in 1937 until Dr. Roger V. Shunate became the first permanent director of the Council. The Council's history almost parallels the history of the Unicameral Legislature itself. It was established by statute during the first session of the one-house Legislature in 1937. The original resolution sponsored by Senator John Norton of Polk provided for a council patterned after one developed in Kansas. Dr. Frederic H. Guild, a member of the faculty of the University of Kansas and director of research for the Kansas Legislative Council, was instrumental in guiding Nebraska legislators. The Unicameral senators set up a 15-member Council. It was made up of three members from each

The Executive Board of the Legislative Council in 1970 (from left): Henry F. Petersen, William M. Wylle, Chairman C. W. Holmquist, William F. Swanson, Jerome Warner.



of the areas comprising the state's five Congressional districts.

Under Srb, the Council's first two studies were conducted on the homestead tax exemption and state assistance and child welfare.

Minutes from the early meetings suggest the Council was formed to meet a change in public opinion regarding government.

Senator Amos Thomas of Omaha noted in his introductory address as the first permanent chairman that government was becoming "more and more complex." More was being expected of the government, and because of the public demand, government was broadening its activities.

"As a result," he said, "there is a marked tendency toward more complex legislation and administration. It is becoming more and more difficult to enact just legislation without scientifically gathered data from which sound conclusions may be deduced."

Thomas greeted the other 14 senators

who were members of the first Council with a note of optimism that was to be severely tested during the first years of operation.

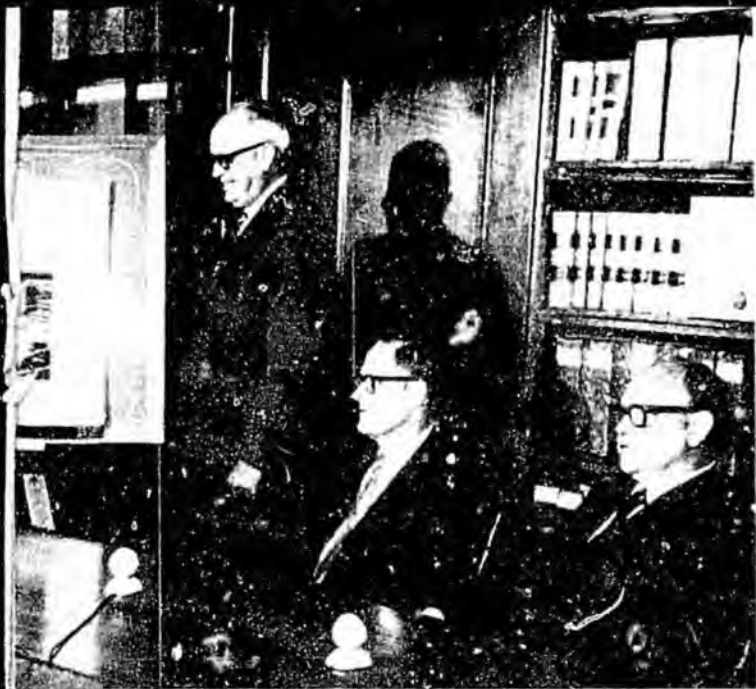
Bright Hopes

"I am sure of full cooperation, and confident that if our work is conscientiously, impartially, and thoroughly performed we will enjoy the confidence and support of the Legislature and of the public as well."

Mr. Price recalled the difficulties the Council had to face because it was new.

"During the first eight years bills to abolish the Council were introduced in nearly every session," she said. "The Council had to sell itself and convince the Legislature it was beneficial."

There were problems in the early days. One that came up immediately involved expense accounts. Council members receive no additional pay, but are reimbursed for proper expenses incurred while attending Council sessions.



In September of 1937 Senator Allan A. Strong of Gordon questioned the constitutionality of this provision. However, a month later Deputy Attorney General Francis V. Robinson handed down his opinion that "expenses of legislative committees meeting when the Legislature is not in session are official rather than personal expenses."

The 1961 speaker of the Legislature, Senator Don Thompson of McCook, and other veteran observers noted a less tangible source of friction during this period.

"Senators who were not chosen (for the Council) resented their 'favored colleagues' and refused to consider Council reports properly. It was felt the small group was trying to dictate policy to the large group."

In 1949, the situation was remedied when the Legislature voted to make all 43 senators members of the Council.

Ten years earlier, in 1939, additional

functions were placed within the Council structure. The already existing Legislative Reference Bureau was transferred to the Council. The duties of the Bureau included reference library and general reference service, preparation and distribution of the state Blue Book, and maintenance of the bill drafting service. The Council also supplies information on specific problems to individual senators.

Over the years, more and more information on a wider variety of subjects has been organized and researched by the Legislative Council. As Dr. Rodgers points out, not all studies "result in specific legislation. Many reveal there is no need for legislation. Others show a need which is not fulfilled."

Senator Thompson summed up the work of the Council this way:

"More and more requests for studies are received each year because people have seen the results which can be produced in the form of better legislation."

Safeguards Guide Bills

Are There Checks

By Leon Nyberg

YES, IT IS less complicated than the two-house system," said the cautious, "but is it safe? Is it possible for a bill to become law so swiftly that not all the legislators, let alone the public, have time to examine it?"

In 1934 these cautious Nebraskans were worried about the simplified procedure by which a bill becomes law in the unicameral system. They were concerned about the loss of the normal checks and balances of the conventional two-house legislature.

But today such staunch supporters of the one-house way of state government as Hugo Srb, clerk of the Legislature, feel there need have been no fear. In fact, Srb believes there are better safeguards built into the Nebraska system than in the bicameral legislatures.

The one-house defenders point to the 13 steps a bill must take before it becomes the law of Nebraska. The steps are:

1. Introduction and first reading.
2. Reference to standing or select committee.
3. Consideration by standing or select committees, after at least five days' notice of public hearing on each bill.
4. Report by standing committee and reference to general file or indefinite postponement.
5. General file; reading, consideration, and general debate by the Legislature and amendment if necessary.
6. Reference to Enrollment and Review Committee for review.
7. Report by chairman of Enrollment and Review and reference to select file.
8. Select file: amendment, by

unanimous consent; to recommit to standing committee; to recommit to general file; to postpone indefinitely and to advance for engrossment are some of the motions in order.

9. Advancement to Enrollment and Review for engrossment unless recommitted to a standing committee or indefinitely postponed.

10. Report by chairman of Enrollment and Review in reference to final reading file or to select file by specific amendment.

11. Final reading.

12. Emergency clause (if there is one).

13. Consideration if vetoed by the governor.

Limit Bills

Any member of the Legislature may introduce a bill. But individual senators may not introduce a bill after the 20th legislative day, except by recommendation of the governor, or at the request of a standing committee and 26 affirmative votes, or upon a suspension of the rules, which requires 29 votes.

"This deadline speeds preparation of bills and encourages legislators to use bill drafting services and research facilities of the Legislative Council before the start of a session," Dr. Adam Breckenridge pointed out in his book, *One House for Two*.

After a bill is introduced, it is read by title (the first reading) and referred to the proper committee. After at least five days' public hearing on each bill before taking final action.

The committees have the authority to combine and correlate bills, as well as to

and Balances?

propose amendments to them. Public hearings on each bill before final committee disposition allow private citizens to express their views and provide information for committee members.

An example of a committee's amending power can be found in many of the bills a committee considers each session. For instance, in 1961 I.B208, which set the tax levy for the State Park Fund, provided for a .35 mill tax when first introduced. After committee and initial floor debate, the figure was lowered to .30 mill. With this compromise figure, the bill was approved by the committee and later received final approval on the floor of the Legislature.

If the committee's vote on a bill is favorable, it is advanced to the floor to be placed on general file. General file is the first debate stage before the entire Legislature. On general file committee amendments are accepted or rejected and further amendments are in order.

A dissenting vote by a committee postpones indefinitely action on the bill. Postponing a bill in a committee has the effect of killing it unless a majority of the legislators vote to place it on general file within three days after being reported to the Legislator as indefinitely postponed. After that it takes 29 votes.

General File

After consideration and debate on general file, the Legislature votes on further disposition of the bill. Approval means advancement of the bill to the Committee on Enrollment and Review for review; disapproval postpones the bill indefinitely. At this stage the Legislature

also has the alternative of recommitting the bill to the committee.

The Committee on Enrollment and Review is a one-man committee. This legislator, usually a lawyer, has authority to correct such things as spelling, capitalization, and phraseology of bills to make certain they are legally correct.

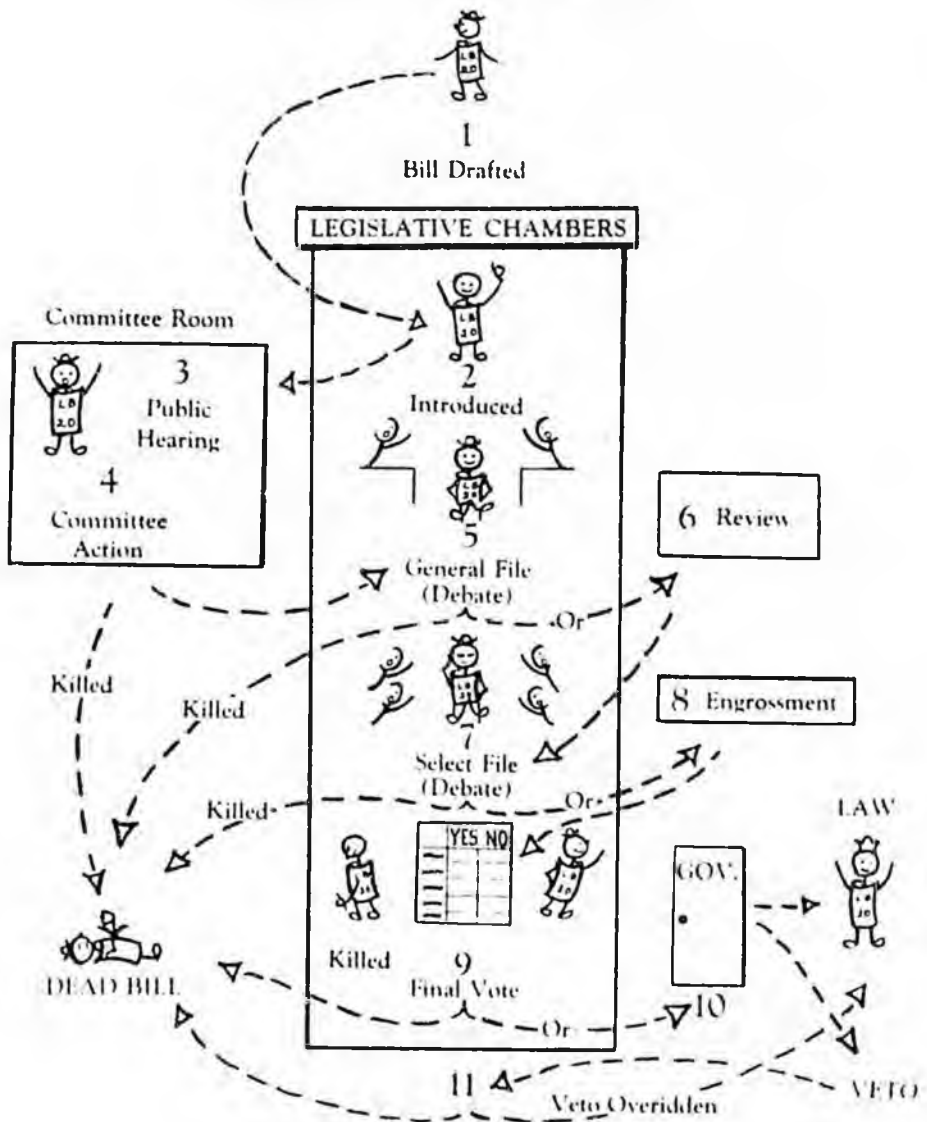
The bill is returned to the Legislature on select file. Select file is a preferential calendar of bills. At this point, the Legislature has several alternatives. The bill can be advanced, postponed indefinitely, recommitted to the general file or to the standing committee, changes recommended by the chairmen of enrollment and review can be approved or rejected, or it may be amended by unanimous consent.

A favorable vote on select file advances the bill once again to the Committee on Enrollment and Review, this time for engrossment (a formal transcript). The legislative rules state that with all amendments "all bills, before being advanced to final reading... shall be engrossed by typewriter, and copies thereof shall be supplied for the use of members."

After engrossment the bill is sent back to the floor of the Legislature to the final reading file. When on final reading file the bill must be read in full, including all the amendments, before the Legislature. At this time the Legislature may vote to recommit the bill to Enrollment and Review, the standing committee, or to the select file for specific amendment.

If the bill is not recommitted, a final roll call vote is taken. If passed, the bill goes to

Step-by-Step: Life of a Bill



Many steps for bills make up for checks of a second house.

the governor to be signed. If voted down, the bill is killed.

An approved bill becomes law 90 days after the adjournment of the legislative session if it is signed by the governor. However, in some cases, an emergency clause is attached to a bill. An example of this is found in LB659, a 1961 bill to limit hours and work of female employees. The final section of this bill provided the emergency clause, "Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law." In some cases, the bill may state a specific day on which it is to go into effect.

A three-fifths vote of the Legislature is required to override a veto by the governor. If such is the case, the bill becomes law without the governor's signature.

Any bill not returned by the governor within five days after he receives it becomes law without his signature. If the Legislature adjourns before the five days are up, and the governor does not subsequently sign it, the bill goes into effect without his signature.

If the Legislature adjourns and prevents

the return of a vetoed bill it is filed, with the governor's objections, in the office of the secretary of state within five days after the adjournment and the bill is dead.

Item Veto

On certain money appropriation bills the governor has the power of the item veto. That is, he may disapprove any item or items of the appropriation by striking only those items from the bill.

After final approval all bills are filed with the secretary of state to become law at the specified time.

These steps through which a bill must pass, say one-house proponents, more than make up for the checks and balances lost by the elimination of a second house. Nebraska observers point out that each step is strictly followed on every bill. They explain that in many two-house states the requirement for a public hearing is either ignored or can be by-passed. To these men who have worked with the Unicameral Legislature for more than two decades the one-house system has provided ample protection for the integrity of Nebraska law-making.

Drafter's Job:

To See That

By George Peterson

"BILL INTRODUCTION Sets Record."

"20 New Bills Tolled Into Hopper."

"Senators Race to Beat Bill Deadline."

Headlines like these tell Nebraskans that their state senators are hard at work during the first 20 days of each Unicameral Legislature session.

During this period when individual senators can introduce bills it would seem that the proposals crop up by the handful and are tossed into the "hopper" by the bushel. The process is neither so simple nor so disorganized.

As the bill drafter works on every measure introduced into the Legislature he is guided by constitutional and statutory provisions, as well as legislative rules and principles. From these sources come certain key phrases:

"Constitutionality . . . phraseology . . . harmony of style . . . typographical style . . . uniformity of laws. . ."

Average 562

Since 1937 an average of 562 bills have been introduced in each session. They all had to pass the standards of the bill drafter.

The reason all bills must move through his office is found in the Rules of the Legislature, which state "No bill shall be introduced unless it has been approved as to form and draftsmanship by the legislative bill drafter."

This valuable service is available only to the legislators and the executive departments of the state.

If a citizen wants an idea drafted into a bill he must confer with his district

representative and gain his consent to back the idea. The law requires that the introducer must be willing "to endorse and support personally" each bill he introduces. The representative can then take the citizen's idea to the draftsman for preparation.

Letters, laws, and ideas are the raw materials the drafter must work with to come up with his finished product. His service becomes available December 1 before the session of the Unicameral Legislature begins.

The office often receives letters from legislators mapping out an idea, and the drafter must then turn this letter into a presentable bill.

If some other state already has a law that a Nebraska senator feels should be enacted, in whole or in part, the drafter must revise the law so it will harmoniously fit into the Nebraska statutes.

Sometimes a senator presents only sufficient information and gives only the intent and purpose of the proposed legislation. The drafter must take over from there.

Since the draftsman usually receives limited instructions, this imposes a heavy responsibility and requires the exercise of impartial discretion in the public interest, according to John J. Wilson, bill drafter in 1961.

For example, an initial decision based on the constitutional provision that "no bill shall contain more than one subject," must be reached. This is often difficult to determine, but a bill becomes unconstitutional if this one technical detail is improperly handled.

Laws Fit In

Before proceeding with the drafting of a bill, the draftsman checks the constitution, the cross-reference file, the court decisions, and, if the measure is amendatory legislation, the statute to be changed.

Since all formal requirements and inhibitions of the constitution must be met, the manner in which the proposed legislation can be drafted may be limited. For example:

1. No local or special laws shall be enacted into a general law.

2. No grant of extra compensation can be made to public officers and contractors.

Also, there must be a study of the court decisions to ensure that legislation already declared unconstitutional by the courts is not re-enacted into a new law. This, the bill drafter knows, would only invoke the power of the courts to again set it aside.

If the opinion of the drafter is that the constitution and other principles of law would be violated by the proposed legislation, he calls it to the attention of the senator requesting the bill. The decision of whether the bill still should be prepared then is the senator's.

Other Laws

The cross-reference file also must be checked. It shows all statutes that may be affected by amendatory or new legislation. If other related statutes are covered, it is necessary that they, too, be amended or repealed.

The reading of the statutes to be amended is important since there is a possibility that the proposed legislation

may have been enacted and be law at the present time.

Once the bill is drafted, the draftsman turns to writing a title for it.

No question, according to Wilson, is raised in court more often or more persistently than that of the validity of the title.

"A poor title can kill the best bill," Wilson explained. It must be general enough to tell the public exactly what is in it.

A total of six copies of each bill are typed. They go, among other places, to the printer, the press, the senator for whom it was drawn, and into the bill drafter's files as an office copy. The bill drafter's job is done, temporarily at least, once the introducing senator picks up the copies and turns them over to the clerk of the Legislature for introduction and distribution.

If a bill is postponed indefinitely at any stage of the legislative process the drafter never sees it again.

However, if amendments have been made when a bill reaches the stage of select file, the amendments must be added to the bill so it will be in complete form for final reading. The drafter must see the bill once again, because his office prepares the final printer's copy. This involves receiving the bill from the engrossing clerk and comparing it against the original bill and the amendments.

The drafter is not required to formulate all the amendments, but he does a large percentage of them. But the responsibility of informing senators of any amendments rests with the clerk of the Legislature.

The work of the draftsman is not confined just to bills. An estimated 95 per cent of the resolutions are written by him. Resolutions are for such purposes as offering condolences, memorializing the Congress of the United States to pass particular federal legislation, requesting action of state officials and departments, assigning duties to the Legislative Council, and other similar objectives.

The major qualification of the drafter, observers say, is that he be an able lawyer who is impartial and can ensure secrecy to all persons who make requests.

The appointment of the drafter is made by the Legislative Council in the November before the regular biennial session of the Legislature. It has been customary that the appointment goes to the same individual for a good many years. Only three men have held the job from 1937 through 1961.

The drafting service is part of the legislative branch of government. The drafter works with the Nebraska revisor of statutes, a judicial branch position, given the duty "to aid and assist the bill drafting service." This close liaison between the judicial and legislative branches works to get harmonious style, arrangement, and similar terminology of the statutes. The revisor in 1961 was Walter D. James.

The bill drafting service has not always been available to legislators before the session opened. The unicameral system adopted in 1934 did not make provision for such a service. But statutory provision was made in the first session of the Unicameral Legislature. It provided for preparation of a legislative program in the form of bills, or otherwise, as required.

In that 1937 session, with the inception of the Legislative Council, the office was established and duties of the bill drafter were laid down. George Mann held the office from 1937 until 1941.

Own Style

Mann had his own style, which was perhaps a little more detailed than the

style used today, according to John J. Wilson, who has held the position for all sessions since December 1, 1944. (Walter James, who later became revisor, was the bill drafter from 1941 to 1944. Wilson was his assistant.)

Wilson graduated from the Nebraska University Law School and is assistant revisor of statutes when the Legislature is not in session.

The codifying and filing of all the statutes was a new idea incorporated into the work of the drafter in 1943. This innovation came as the result of a major revision of the statutes when James held the drafting position. The file was not completed until 1945 and since that time has been kept current.

The latest change in the composition of the drafter's office was made in 1959 when the position of attorney of enrollment and review was moved from the jurisdiction of the clerk of the Legislature to the bill drafter who now, in a sense, "hires" the attorney.

This job has a dual role—that of attorney on enrollment and review and assistant bill drafter. Emory Burnett, an instructor at the University of Nebraska Law School, who had been assistant drafter, acquired the additional responsibilities.

His job is to correct the spelling of words and errors of punctuation and capitalization and to proofread bills and amendments as they travel through the Legislature.

These two men work closely under the rules clause, "the bill drafting service shall have supervision of legal work performed for the Enrollment and Review Committee."

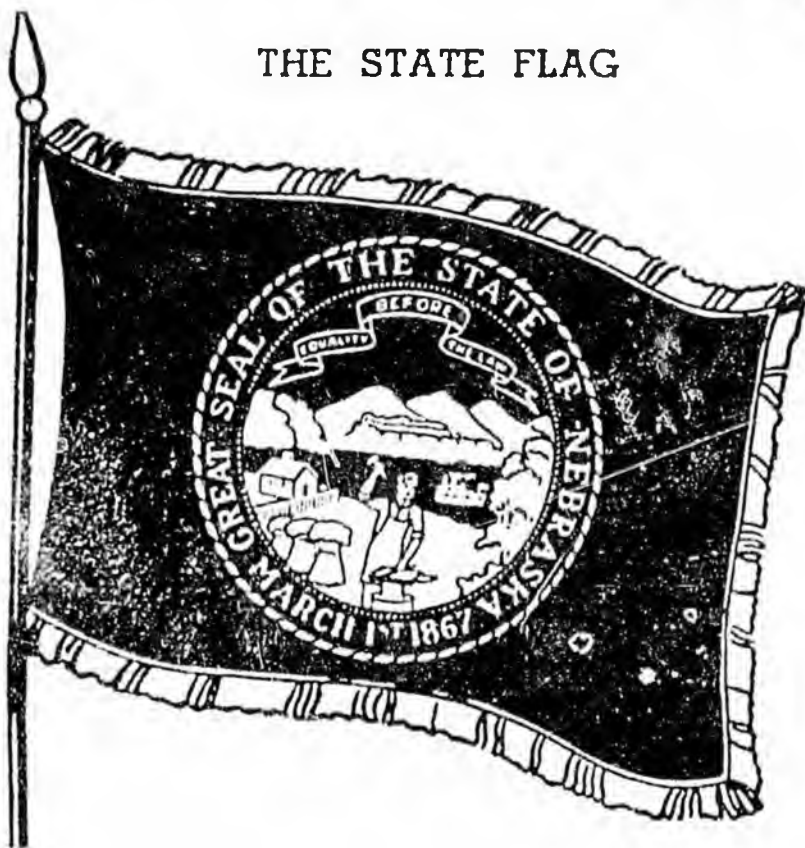
Wilson and Burnett feel that it is necessary and advantageous that they see eye-to-eye on the major as well as the minor aspects of bill drafting.

The harmony, observers say, that results from such an approach helps give Nebraska the "complete and efficient" bill drafting service called for by the statutes—even when bills are tossed into the hopper by the bushe'

*'No bill shall be introduced
unless it has been approved
...by the...bill drafter.'*

The Nebraska state flag

THE STATE FLAG



Speaker's Role:

The Nonpartisan

THE PRESIDING officer: W. F. Chapin, speaker of the Territorial Legislature of Nebraska.

The time: 1867, just before statehood.

The place: Omaha, in the Territorial Capitol.

The subject: reapportionment.

The power behind the presiding officer: a Colt revolver.

A group of scowling legislators approached the platform. They had every intention of deposing the speaker—bodily, if necessary. The first of the disgruntled lawmakers placed his foot on the step of the platform. Speaker Chapin drew his Colt. The rebellious legislators hesitated for a moment, and in that instant Chapin acted.

He declared the house adjourned under the rule that it was in his power to do so if "disorder reigns."

A Colt revolver is not part of the equipment of the speaker of the modern Unicameral Legislature. Over the years the speaker's power has shifted and in some cases has been reduced. But the honor of being named to the job has not diminished since that riotous session in 1867.

The speaker, who is chosen by a majority vote of the senators, acts as presiding officer of the Unicameral Legislature in the absence of the lieutenant governor. His other duties include membership on the Budget Committee, the Reference Committee, and the Executive Board of the Legislative Council.

But as Dwight Burney, a past speaker, pointed out, although there are few duties of the speaker, the job changes from

session to session. He explained that the problems arise and differ with each meeting.

One of the speaker's main duties is to act as a kind of nonpartisan whip. John E. Beaver, speaker in 1957, explained this job of co-ordination by the speaker. He said committee chairmen seldom fail to move bills as quickly as they should, "but there were several occasions when I felt hearings weren't being held as quickly as they could have been and suggested that they do so."

Push Work

Burney explained that the speaker must make sure all committees know how much work each is completing and see to it that each committee keeps pace.

Don Thompson, speaker of the 1961 session, described his job as "seeing that the Legislature is properly organized; in general, guiding the operation so that there isn't any slowing down in procedure and trying to keep a balance of bills on general file, select file, and general reading."

The speaker's other job—presiding in the lieutenant governor's absence, is not as hit and miss as it might seem. Burney pointed out that the strain of presiding is such that the lieutenant governor needs a break and so most speakers fill in several times each day. Harry L. Pizer said he took over at intervals each day and was the sole presiding officer in 1960 when Burney had become governor after the death of Governor Ralph Brooks.

"I was tough," Pizer said. "I wouldn't want to be on the floor while I was speaker. I felt the job was to keep the senators in

Normally, previous experience is a factor in the selection of the speaker, legislative records indicate. Only one man, Robert B. Crosby, speaker in 1943 and later lieutenant governor and governor, served in the job before he had been in at least four previous sessions as a senator. Charles J. Warner in 1937 came to the job with more experience than any of the Unicameral Legislature's speakers. He served 13 terms as a legislator.

The actual power of the speaker has shifted over Nebraska's history as a state. In the days of the Territorial Legislature (1855-1867) and bicameral Legislature (1867-1935) the speaker was in a different position. At that time he was the presiding officer of the lower chamber. The lieutenant governor presided over the state Senate. Today the speaker takes the chair, preserves order, puts questions to the floor, and signs bills only in the absence of the lieutenant governor.

Indications of the speaker's power may be noted in early legislative rulebooks. These show that the speaker had the authority to appoint all committees unless otherwise directed by the House. Today this is the job of the Committee on Committees.

Because the modern Unicameral speaker is one of the three members of the Reference Committee, it would seem that this small group could influence the flow of legislation. The Reference Committee assigns bills to the various standing committees. But Thompson pointed out, "The majority of the bills fit into a prescribed category according to their title, and that's where they go."

The Unicameral Legislature also lacks the partisan politics upon which earlier elections of speakers used to depend.

Before adoption of the unicameral system with its nonpartisan members, party strength was a factor in the choice of the speaker.

When J. G. Megeath was chosen speaker of the Territorial Legislature in 1866 by a 25-9 vote, he was reported to have said that his election was due partially to providential absences and manipulation. Records show that the Democratic speaker was right. The Republican senator from Gage County was delayed by a storm and the Republican representative from Burt County received information that the Legislature was to open a week later than it did. The Republican from Richardson County turned Democrat temporarily in return for the chairmanship of the Committee on County Seats and County Roads.

Background

Over the years men whose parttime job has been speaker of the Legislature have come from many occupations. But since 1937 about one-third have been farmers or ranchers and another third lawyers. Legislative records show a wide variety of jobs among the speakers. J. H. Mockett, speaker in 1903, was a school teacher at the age of 18 before entering college. John Kuhl (1911) was in the harness business, and G. W. O'Malley (1933) was a collector of internal revenue.

Two Omahans

The statistics also show that since Nebraska became a state only two of the speakers have come from Omaha, the state's largest city. They were J. A. Rodman, who held the position in 1927, and Charles F. Tvrđik, in 1953.

Rodman, Tvrđik, O'Malley, Kuhl,

Mockett, Crosby, Beavers, Burney, Pizer, Thompson—these are a few of the names on the long list of men who have been speakers of Nebraska's Legislature. And observers of the Unicameral Legislature point out that it is often difficult to spot the leaders in this form of state government. But they agree that one sure way is to read the list of the men who have held the title, Speaker of the Nebraska Legislature.



A Capitol mosaic

Roster of Nebraska Legislative Speakers

Territorial Legislature

| | |
|-------------------|------|
| A. P. Hanscom | 1855 |
| P. C. Sullivan | 1855 |
| I. L. Gibbs | 1857 |
| J. H. Decker | 1857 |
| H. P. Bennett | 1858 |
| S. A. Strickland | 1859 |
| H. W. DePuy | 1860 |
| A. D. Jones | 1861 |
| George B. Lake | 1864 |
| S. M. Kirkpatrick | 1865 |
| James G. Megeath | 1866 |
| W. F. Chapin | 1867 |

Bicameral Legislature

| | |
|--------------------|---------|
| W. A. Pollock | 1868 |
| W. F. Chapin | 1867-68 |
| W. McLennan | 1869-70 |
| George W. Collins | 1871 |
| M. Sessions | 1873 |
| Edward S. Towle | 1875 |
| Albinus Nance | 1877 |
| C. P. Mathewson | 1879 |
| H. H. Shedd | 1881 |
| George M. Humphrey | 1883 |
| Allen W. Field | 1883 |
| N. V. Harlan | 1887 |
| John C. Watson | 1889 |
| S. M. Elder | 1891 |
| J. N. Gaffin | 1893 |
| C. L. Richards | 1895 |
| J. N. Gaffin | 1897 |
| Paul F. Clark | 1899 |
| W. G. Sears | 1901 |
| J. H. Mockett, Jr. | 1903 |

| | |
|--------------------|---------|
| George L. Rouse | 1905 |
| D. M. Nettleton | 1907 |
| C. W. Pool | 1909 |
| John Kuhl | 1911 |
| P. C. Kelley | 1913 |
| George Jackson | 1915-18 |
| Dwight S. Dalby | 1919 |
| Walter L. Anderson | 1921 |
| A. N. Mathers | 1923 |
| Allen G. Burke | 1925 |
| James A. Rodman | 1927 |
| Born R. Coulter | 1929 |
| Max Kler | 1931 |
| George W. O'Malley | 1933 |
| W. H. O'Gara | 1935 |

Unicameral Legislature

| | |
|--------------------|------|
| Charles J. Warner | 1937 |
| William H. Diers | 1939 |
| R. M. Howard | 1941 |
| Robert B. Crosby | 1943 |
| C. Petrus Peterson | 1945 |
| Walter R. Raecke | 1947 |
| Earl J. Lee | 1949 |
| Ed Hoyt | 1951 |
| Otto Prohs | 1952 |
| Charles F. Tvrdek | 1953 |
| Dwight W. Burney | 1955 |
| John E. Beaver | 1957 |
| Harry L. Pizer | 1959 |
| Don Thompson | 1961 |
| William Moulton | 1963 |
| Kenneth L. Bowen | 1965 |
| Elvin Adamson | 1967 |
| Jerome Warner | 1969 |

Lieutenant Governor:

The Partisan in

By Sylvia Rodehorst

THE CHIEF presiding office of the Nebraska Unicameral Legislature is held by a man who must be a part-time politician, a part-time nonpartisan, and a part-time governor, and whose fulltime job is almost always in private enterprise.

This description represents the paradox that is the lieutenant governor's job in Nebraska. While he is all of these things he is also one heartbeat away from the governor's chair.

Some observers believe his partisan election is of value in his job as the nonpartisan presiding officer of the Legislature. Others believe that this necessity for wearing two hats hinders him. At least one former lieutenant governor asked a subsequent Legislature to abolish the job.

But so far as the Unicameral Legislature is concerned the lieutenant governor of Nebraska performs a vital function during every legislative session. As presiding officer he recognizes speakers from the floor, rules on questions of parliamentary procedure, and clears the back of the legislative chamber and the galleries if visitors become too noisy. His vote counts only in the case of ties.

Administratively, his role in the one-house system differs little from that in a bicameral legislature. The major difference is that his presiding domain in the Unicameral Legislature is over the entire state lawmaking body. Under this system, the speaker, elected from the floor, presides only in the lieutenant governor's absence. But before 1937 in Nebraska the speaker presided over the House while the lieutenant governor was in charge of the

Senate. Politically, according to Hugo Srb, clerk of the Legislature, the lieutenant governor's role has decreased in importance. Before 1937, Srb pointed out, the lieutenant governor was the party leader who played an influential part in naming committee members and getting bills passed. Now, although he is still elected on a partisan basis, the lieutenant governor is expected to be impartial on all political questions arising in the nonpartisan Unicameral Legislature. Lieutenant Governor Dwight Burney, a past speaker and long-time legislator, feels that the present approach is the best one.

"The lieutenant governor has no voice except to preside," he said. "He can detach himself more than someone—such as the speaker—who has bills of his own."

Jobs for Both

Burney added that it is good to have both a lieutenant governor and a speaker. The lieutenant governor can deal with the mechanical job of keeping the legislative process under control and the speaker can concern himself with legislation and contact with chairmen of separate committees to see how they are progressing.

Burney explained that the speaker, who by the very nature of his job as a legislator is prone to favor certain bills, might swerve legislation. The lieutenant governor said this might be done by his vote to break a tie or his decision on a voice vote. A voice vote, Burney explained, requires that the presiding officer—whether he be lieutenant governor or speaker—decide which is louder, the yeas or the nays.

the House

"Any member, however, can demand a machine vote if he does not agree with the decision," Burney said.

The fact that the speaker is nonpartisan and the lieutenant governor is partisan means the lieutenant governor might be prone to take a partisan viewpoint on a bill and the speaker might not. But according to Burney, this has not been a problem.

And Harry Pizer, the speaker in 1959, agreed. He said the partisan election of the presiding officer makes no difference. The lieutenant governor, as an elected partisan official, should have the job of presiding over the Senate, Pizer added. It is very good, he said, if the lieutenant governor has had experience as a legislator such as Burney has.

But the lieutenant governor should keep out of contact with bills, if possible, Pizer continued, and added that because he doesn't introduce any bills it is easier for him to avoid taking sides. In Pizer's 10 sessions in the Legislature he had not seen lieutenant governors who showed partisanship toward bills.

Robert Crosby, a former legislator, former speaker, former lieutenant governor, and former governor, is the man who suggested the lieutenant governor's job be abolished. He said it would be more appropriate for the speaker to be the chief presiding officer.

The speaker, Crosby said, is elected on a nonpartisan ballot and would make a more appropriate presiding officer for a nonpartisan Legislature. Crosby believed that the lieutenant governor who has been elected on a party platform might be inclined to inject party politics. Crosby said

he had seen—though infrequently—partisanship crop up in Unicameral proceedings. This was not in the matter of parliamentary rulings, he said, but in the power of the lieutenant governor and speaker to refer a bill to a committee or to help in the appointment of senators to a committee.

No Duties

"A second reason for my view," Crosby said, "is that a lieutenant governor has no significant duties except to preside over the Legislature and this is not enough reason to have one." In case of illness or death, another elected official could take the governor's place.

The lieutenant governor also acts as governor during the latter's absence from the state. Of the 26 men who have served as lieutenant governors, only two have succeeded the chief executive. Ezra P. Savage served in both offices from 1901 to 1903 after the resignation of Charles H. Dietrich. Dietrich resigned after only four months as governor to accept a nomination for a short term in the United States Senate. The 1961 lieutenant governor, Dwight Burney, was governor for almost four months after the death of Ralph G. Brooks September 9, 1960. Two lieutenant governors have become governors by election. Samuel R. McKelvie was elected to the governorship in 1919 after serving as lieutenant governor from 1913 to 1915. Robert Crosby, lieutenant governor from 1947 to 1949, served as governor from 1953 to 1955.

Only two lieutenant governors have died

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Only two lieutenant governors have died

Committee Work:

The Public is Heard

By Lee Gayle Hord

AT 2 P.M. for several months during the legislative sessions it is impossible to find all of Nebraska's senators in one spot.

At that hour the legislators start doing what many students of government consider their most important job—committee work. At no time, they point out, does a bill get closer consideration than during the committee hearing.

Here the public is heard. Here friends and foes of a bill face each other. Here revisions, called amendments, are proposed. And here the weight of each senator's voice is multiplied many times.

Potent Vote

In the legislative sessions, each senator's vote is one of 49. But in a seven-member committee his vote is one of seven, or seven times more powerful.

The committee system has not always been as organized as it is today or as it has been since 1937 when the unicameral system took over in Nebraska.

But there were some similarities. Under the bicameral system, both the House and the Senate had standing committees. Each had a Committee on Committees that operated almost exactly as in the unicameral system. In the House, it was composed of 13 members, consisting of two members from each Congressional district and one member at large as chairman. (There were six Congressional districts then. By 1961 the number had shrunk to three.)

The Senate's was similar, with seven members, one from each Congressional district and one at large as chairman.

The big difference between bicameral and unicameral committee systems shows up in the number of committees.

In 1935, the last bicameral session, there were 29 committees in the Senate and 32 in the House. The numbers varied from year to year, but were ordinarily close to 30 in each body.

The earliest major effort to reform legislative procedure came in 1913 when the Legislature provided for a joint committee to investigate the subject and report to the succeeding Legislature.

After that investigation of the standing committees, the reform committee reported that while the most powerful work of the Legislature is done by committees, the organization and regulation of their work was the weakest feature of legislative procedure.

The investigators recommended for the 1915 Senate 27 committees with a total membership of 139, compared with 42 committees with 255 members in 1913. A similar recommendation was made in the House, reducing 47 committees with 496 members to 30 committees with 238 members.

"Committee work in Nebraska has become a joke," the investigators reported. "There are now more committees than there is use for. We recommend abolition and consolidation, and a radical reduction in the membership in

order that a member shall serve on two or three committees only."

Selfish Favored

"The advantages of our present system," the report continued, "are entirely in favor of the selfish unscrupulous member, for he finds great possibilities in conflicting committee meetings, excessively large committees, private sessions and unrecorded action."

With such large committees, it was not uncommon for a bill to be purposely held, never officially voted upon, never officially considered, and sometimes never even recorded.

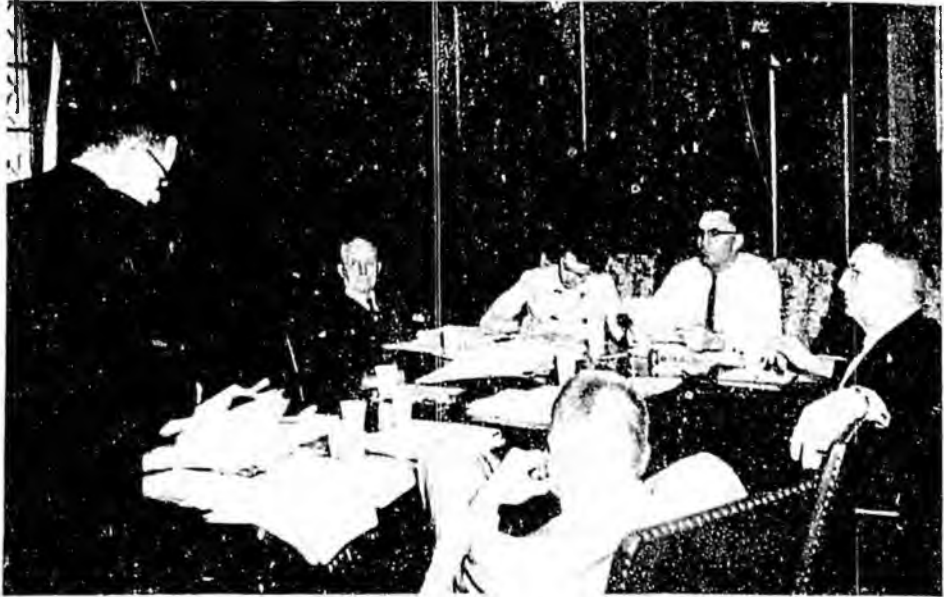
The investigators also were concerned over the simple matter of attendance at committee meetings. They pointed out that there was very little effort made under legislative rules to encourage or help make it possible for a member to attend committee meetings. In 1915, as recommended by the reform committee, afternoon hours were devoted so far as possible to committee work, the House from 3 to 6 p.m., the Senate all of Thursday afternoon and other legislative days from 4 to 6 p.m.

That was the beginning of committee reform in Nebraska's Legislature. The next major change came with the adoption of the unicameral system.

Under the unicameral system, there are only 15 committees. Their members and chairmen are chosen by a Committee on Committees. This body has 13 members. Twelve of them are chosen by the Legislature so that each of the state's Congressional districts is given equal representation. One member, chosen at large, becomes chairman. Each member of the Legislature serves on one or more of these committees.

(There is another important committee that, according to Legislative Clerk Hugo Srb, is not normally listed as a standing committee. This committee, the Reference Committee, is a permanent committee made up of the lieutenant governor, the speaker, and the chairman of the Committee on Committees. Its job is to assign bills to the proper standing committee.)

The rules provide that each committee, before taking final action on a bill or resolution, must hold a public hearing and must give five days' notice before the session. Each committee also keeps a record of its proceedings. Committee meetings are open to the public. Executive sessions are open to the press, although reporters are bound under a gentleman's agreement to keep individual votes and discussions confidential.



Committee hearings give the public a chance to speak.

Does it Work?

Has the system worked? Many observers, including senators and former senators, believe additional minor changes might be beneficial. Most of these suggestions concern the committee workload of the senators.

But the record of the first decade of the Unicameral Legislature tells part of the story. In the bicameral Legislature, an

average of 907 bills were considered each session, and an average of 120 were passed. In the first 10 years of the unicameral system, an average of 492 were considered and an average of 209 were passed.

And today, at shortly before 2 p.m., as senators hustle along the Statehouse corridors, they are on their way to what many consider their most important assignments—committee meetings.

Special Sessions:

Emergencies

By Don Bennett

THE EIGHT special legislative sessions held since the formation of the Nebraska Unicameral Legislature in 1937 have been called to deal with matters ranging from taxation to diseased pigs.

The special sessions, which are called by the governor, are held to conduct matters of primary importance that will not wait until the next regular session.

The special session often assumes some extraordinary features not found in the regular sessions of the Legislature. The law requires that no bill can be passed until five days after its introduction. This means that the legislators must convene during that time on separate days even if there is no actual business to discuss.

Formalities

These brief meetings during the required period are sometimes just formalities. The Legislature may meet at 11:30 p.m. Wednesday, introduce a few people, adjourn at 11:45, and reconvene at 12:05 a.m. Thursday for a few minutes to complete two of the required number of meetings.

Since the first special session of the Unicameral Legislature was called in 1940, these sessions have cost the state \$37,000 through 1960. The last bicameral special session, in 1935, lasting 24 days, cost \$30,769.52. In 1960 under the unicameral system two special sessions were called. The second of these, lasting seven days, cost \$4,291.40. Backers of the Unicameral Legislature point out that even during this 25-year period of great inflation the cost of special sessions with onehouse has remained relatively inexpensive.

Unlike the regular session, the special session considers only matters specifically mentioned in the call.

One bill that is always introduced in the special session and in the governor's message of intent calls for the proper appropriation of funds for payment of all costs of the session.

While all special sessions are considered to be called to deal with emergency measures, there have been only three that were called in the wake of a catastrophe.

On January 2, 1940, Governor Roy L. Cochran called a special session to deal with relief measures "as a result of the war abroad."

This 54th session of the Nebraska Legislature was termed by Cochran as one with "a humanitarian purpose."

On April 17, 1952, Lieutenant Governor Charles J. Warner brought the gavel down, calling the 63rd and extraordinary session of the Unicameral Legislature to order.

Addressing the senators, Governor Val Peterson grimly stated:

"We face... a catastrophe. Thousands of Nebraskans living along the Missouri River are homeless and in the days that lie ahead other thousands may be forced to evacuate.

"I plead with you, in the name of those who today are suffering unprecedented floods, to provide money in order that our state government may extend a helping hand to these citizens."

The senators rallied to his call and appropriated one-half million dollars for flood relief.

On August 27, 1952, only four months later, Governor Peterson again called the

from Pigs to Taxes

members of the Legislature back into session to consider another catastrophe. He met the 64th session with the challenge to enact a measure to save "one of our most valuable exports."

"Nebraska's hog population numbers three million and is a \$100 million industry," stated Peterson. "Today, this industry is threatened by the outbreak of visicular exanthema."

The senators voted into law measures to provide funds to purchase infected animals and to make it illegal to feed garbage to livestock. Also, in order to maintain a fight against livestock diseases, the Legislature voted to provide for a revolving fund to purchase test cattle.

Peterson also asked the special session to raise the ceiling on old age assistance benefits to \$60. The senators granted his request. An earlier special session called in 1946 by Governor Dwight Griswold had raised the ceiling on old age assistance to \$55.

Education

Other measures requested by Griswold and granted by the Legislature provided for the removal of state limits on junior college tuition; \$10,000 for the distribution of national school lunch funds; \$25,000 for administration of national funds for on-the-job veterans' training; and \$1,685,000 for postwar construction of state institutions by the Board of Control.

This was the second special session that Governor Griswold had called. Two years earlier, on March 27, 1944, he called the 57th Legislature to regulate the issuance

and sale of bonds and to provide a safeguard in the employment of agents for public power and irrigation districts.

The state's tax structure prompted Governor Robert B. Crosby to summon the lawmakers. "Not in many years has there been a special session as important as this one," said Governor Crosby. He was speaking of the 66th session of the Nebraska Legislature on April 20, 1954.

"This session has but a singular purpose," said Governor Crosby. "To submit proposals on which the people shall vote at the election in November."

He requested the senators to prepare amendments to exempt household furnishings and personal effects to an extent that the Legislature deemed desirable; to allow the Legislature to equalize assessments among the counties; and to protect the people from the "extravagant" use of support taxes.

The Legislature, in addition to these requests, put on the ballot a constitutional amendment providing that if a general sales tax, or an income tax, or a combination sales and income tax is adopted, a property tax cannot be levied.

Job Needs

Two special sessions were held in 1960. The first, called by Governor Ralph Brooks on August 1, requested that the citizens of the state be given an amendment to vote upon in November 1960.

"...Nebraskans will need to create 56,000 new jobs in the next 10 years, and if we are able to stem the tide of our migration Nebraska needs 146,000 new job opportunities," said Brooks.

The amendment was to allow the Legislature to authorize governmental subdivisions to acquire, own, lease, and develop real and personal property for the use of private interests. The amendment was approved by the voters.

On December 12, 1960, Governor Dwight W. Burney, who assumed office upon Brooks' death, asked the Legislature to convene. In his opening message he stated that he had called the senators to provide legislation that would "activate the intent of the constitutional amendment that was passed at the recent elections."

The amendment he referred to provided for a pay increase not to exceed \$200 for the state senators.

The call for a special session is rarely issued, only 24 times in the history of Nebraska state government. Yet political scientists point out that it is a necessary provision that makes the Unicameral Legislature flexible in emergencies.

Special Sessions Of Nebraska Legislature

| Date | Governor | Days Met |
|---------------|-------------------|----------|
| Feb. 20, 1807 | (still territory) | 2 |
| May 16, 1867 | Butler | 34 |
| Oct. 27, 1868 | Butler | 2 |
| Feb. 17, 1870 | Butler | 14 |
| Mar. 4, 1870 | Butler | 1 |
| Mar. 27, 1873 | Furnas | 3 |
| Dec. 5, 1876 | Dawes | |
| Dec. 5, 1876 | Dawes | |
| May 10, 1882 | Nance | 13 |
| Mar. 26, 1918 | Neville | 12 |
| July 29, 1919 | McKelvie | 5 |
| Oct. 14, 1919 | McKelvie | 5 |
| Jan. 24, 1922 | McKelvie | 9 |
| Mar. 4, 1930 | Weaver | 11 |
| June 9, 1931 | Bryan | 11 |
| Oct. 28, 1935 | Cochran | 24 |
| Jan. 2, 1940 | Cochran | 11 |
| Mar. 27, 1944 | Griswold | 11 |
| Aug. 22, 1948 | Griswold | 7 |
| Apr. 17, 1952 | Peterson | 7 |
| Aug. 27, 1952 | Peterson | 7 |
| Apr. 20, 1954 | Crosby | 12 |
| Aug. 1, 1960 | Brooks | 7 |
| Dec. 12, 1960 | Burney | 7 |
| Oct. 21, 1963 | Morrison | 24 |
| June 6, 1966 | Morrison | 7 |
| Jan. 3, 1968 | Tiemann | 7 |
| Dec. 9, 1968 | Tiemann | 7 |
| June 9, 1970 | Tiemann | 7 |



Bryan statue north of Capitol

One Can Live Cheaper

By Roger Wait

FOR A STATE in the grip of drought and depression in 1934, one attractive element of the proposed unicameral was the suggestion that it might cost less.

While post mortems on the passage of the unicameral amendment cannot clearly indicate any one reason Nebraska's voters said "Yes," most political scientists agree that economy was a vote producer. No one believes that a majority of the voters favored the unicameral legislature only because it cost less. But the views of two recognized students of the Unicameral Legislature are that cost was a factor. Dr. Adam C. Breckenridge, author of *One House for Two*, summarized many of the factors involved and added, "Others found comfort that the change might cost less in pay and in general legislative expenses."

133 to Pay

Dr. John P. Senning in his book, *The One-House Legislature*, explained that in the bicameral system 33 senators and 100 representatives were each paid \$800 for regular sessions and up to \$100 for additional sessions. This made a total expense for salaries each biennium, excluding special sessions, of \$106,400.

Although past experience "had proved that a salary of \$800 for a regular session was inadequate," Senning pointed out, proponents of the unicameral idea considered holding legislators' salaries to an overall \$100,000 per biennium. They did

Observers believe bicameral would cost two or three times as much.

this, he explained, knowing that the unicameral system, if approved, would have far fewer men in it than the two-house body.

At the same time, Senning noted that Senator George Norris, in his original unicameral proposal, had said that each legislator should be paid \$2,400 a year. But the senator's advice on this point was not followed.

Dr. Breckenridge pointed out in his book published in 1957:

"Proponents of the 1934 amendment were well aware of the political advantage of showing that public funds could be saved if the unicameral plan were adopted. The state's economy at that time was depressed and dollars were hard to come by.

Set Limit

"A saving of even a few thousand dollars would be attractive to many in making their decision for or against the amendment, so the drafters of the plan probably with some reluctance inserted a provision that the total pay for the entire membership — whether 30 or 50 or something in between — would be \$75,000 for the two-year term of office.

"This meant a demonstrated saving of about one-third from the salary costs of the bicameral legislature. This point was

emphasized again and again during the dry summer of 1934.

"Undoubtedly it won thousands of votes."

Nebraska's voters approved the unicameral amendment and with it the \$75,000 salary figure. And they held that line for 23 years. Proposals to boost the senators' salaries were made from time to time. In 1952 the voters refused to raise the pay to \$1,250 a year for each member. In 1960 the issue again went to the voters, this time for \$2,400 a year. The voters approved it. In 1968 the voters approved another amendment, raising each senator's pay to \$4,800 a year.

Besides senators' salaries, of course, there are other legislative expenses. These expenses also showed a drop in the switch from two houses to one.

The dollars-and-cents statistics of Nebraska's legislative expenses bear out the contention of those campaigning for the unicameral amendment in 1934. Comparatively, the Unicameral has cost less.

True, the statistics show that the most recent sessions cost nearly as much or more than the most expensive sessions of the bicameral legislature. But if the cost for 133 legislators — the number in the old bicameral — were prorated at the present cost for 49 senators, observers believe the budget would be from two to three times higher.

Cost of Sessions

The following table indicates the sessions, their length, and the cost. Due to budgeting, accounting, and service changes made over the years, a comparison was not possible simply by listing Nebraska Blue Book statistics. In order to make a fair comparison, the figures from 1827 on were acquired from the office of the clerk of the Legislature. In order to maintain a fair comparison, these figures, then, cover only the same comparable costs that were listed in the earlier years.

| Bicameral | | |
|--|----------|-------------|
| 1866 (1st) | 8 days | \$2,309.20 |
| 1867 (2nd) | 2 days | 1,528.60 |
| Note: Official records erroneously list the above two sessions as state legislature sessions, although Nebraska was not admitted to the Union until March 1, 1887. | | |
| 1867 (3rd) | 34 days | \$ 8,218.05 |
| 1868 (4th) | 2 days | 960.65 |
| 1869 (5th) | 33 days | 16,190.20 |
| 1870 (6th) | 14 days | 4,849.92 |
| 1870 (7th) | 1 day | |
| 1871 (8th) | 61 days | 18,134.98 |
| 1873 (9th) | 40 days | 22,500.48 |
| 1873 (10th) | 3 days | 1,918.75 |
| 1875 (11th) | 39 days | 23,901.20 |
| 1876 (12th) | 1 day | 1,010.20 |
| 1876 (13th) | same day | |
| 1877 (14th) | 38 days | 30,858.81 |
| 1879 (15th) | 40 days | 42,423.96 |
| 1881 (16th) | 40 days | 46,780.00 |
| 1882 (17th) | 13 days | 14,291.32 |
| 1883 (18th) | 43 days | 71,050.63 |
| 1885 (19th) | 43 days | 84,874.68 |
| 1887 (20th) | 62 days | 166,607.02 |
| 1889 (21st) | 67 days | 174,280.10 |
| 1891 (22nd) | 71 days | 143,833.35 |
| 1893 (23rd) | 74 days | 117,629.16 |
| 1895 (24th) | 71 days | 113,330.72 |
| 1897 (25th) | 73 days | 102,063.30 |
| 1899 (26th) | 65 days | 98,957.68 |
| 1901 (27th) | 64 days | 126,855.45 |
| 1903 (28th) | 65 days | 103,918.35 |
| 1905 (29th) | 63 days | 88,088.70 |
| 1907 (30th) | 67 days | 100,000.00 |
| 1909 (31st) | 68 days | 93,723.91 |

| | | |
|-------------|----------|------------|
| 1911 (32nd) | 67 days | 104,954.52 |
| 1913 (33rd) | 71 days | 159,758.83 |
| 1915 (34th) | 71 days | 129,648.48 |
| 1917 (35th) | 86 days | 147,912.97 |
| 1918 (36th) | 12 days | 14,330.10 |
| 1919 (37th) | 76 days | 141,708.23 |
| 1919 (38th) | 5 days | 10,433.80 |
| 1919 (39th) | 5 days | 10,382.04 |
| 1921 (40th) | 91 days | 189,859.71 |
| 1922 (41st) | 9 days | 17,695.05 |
| 1923 (42nd) | 87 days | 181,547.69 |
| 1925 (43rd) | 65 days | 165,908.63 |
| 1927 (44th) | 82 days | 184,328.38 |
| 1929 (45th) | 85 days | 182,426.54 |
| 1930 (46th) | 11 days | 23,861.06 |
| 1931 (47th) | 89 days | 186,704.42 |
| 1931 (48th) | 11 days | 26,746.05 |
| 1935 (49th) | 99 days | 173,023.98 |
| 1935 (50th) | 110 days | 202,593.49 |
| 1935 (51st) | 24 days | 30,769.52 |
| 1937 (52nd) | 98 days | 103,445.38 |
| 1939 (53rd) | 111 days | 100,678.33 |
| 1940 (54th) | 11 days | 3,676.72 |
| 1941 (55th) | 99 days | 102,755.13 |
| 1943 (56th) | 103 days | 101,547.65 |
| 1944 (57th) | 11 days | 3,324.71 |
| 1945 (58th) | 89 days | 100,469.68 |
| 1946 (59th) | 7 days | 2,140.01 |
| 1947 (60th) | 105 days | 117,459.22 |
| 1949 (61st) | 100 days | 121,305.78 |
| 1951 (62nd) | 102 days | 130,080.85 |
| 1952 (63rd) | 7 days | 2,620.53 |
| 1952 (64th) | 7 days | 3,465.47 |
| 1953 (65th) | 113 days | 153,369.17 |
| 1953 (66th) | 12 days | 6,388.37 |
| 1955 (67th) | 114 days | 177,739.05 |
| 1957 (68th) | 115 days | 202,811.93 |
| 1959 (69th) | 120 days | 241,690.84 |
| 1960 (70th) | 7 days | 4,887.36 |
| 1960 (71st) | 7 days | 4,291.40 |
| 1961 (72nd) | 126 days | 287,285.89 |
| 1963 (73rd) | 132 days | 399,973.83 |
| 1963 (74th) | 24 days | 21,023.38 |
| 1965 (75th) | 149 days | 446,134.32 |
| 1968 (76th) | 7 days | 6,020.40 |
| 1967 (77th) | 134 days | 535,475.00 |
| 1968 (78th) | 7 days | 8,060.00 |
| 1968 (79th) | 7 days | 5,266.00 |
| 1969 (80th) | 185 days | 614,289.49 |
| 1970 (81st) | 7 days | 7,685.67 |

* Special Session

Appendix A

The Constitutional

Adopted November 6, 1934

That Section 1 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 1. Commencing with the regular session of the Legislature to be held in January, nineteen hundred and thirty-seven, the legislative authority of the state shall be vested in a Legislature consisting of one chamber. The people reserve for themselves, however, the power to propose laws, and amendments to the constitution, and to enact or reject the same at the polls, independent of the Legislature, and also reserve power at their own option to approve or reject at the polls any act, item, section, or part of any act passed by the Legislature. All authority vested by the constitution or laws of the state in the Senate, House of Representatives, or joint session thereof, in so far as applicable, shall be and hereby is vested in said Legislature of one chamber. All provisions in the constitution and laws of the state relating to the Legislature, the Senate, the House of Representatives, joint sessions of the Senate and the House of Representatives, Senator, or member of the House of Representatives, shall, in so far as said provisions are applicable, apply to and mean said Legislature of one chamber hereby created and the members thereof. All references to Clerk of House of Representatives or Secretary of Senate shall mean, when applicable, the Clerk of the Legislature of one chamber. All references to Speaker of the House of Representatives or temporary president of the Senate shall mean Speaker of the Legislature. Wherever any provision of the

constitution requires submission of any matter to, or action by, the House of Representatives, the Senate, or joint session thereof, or the members of either body or both bodies, it shall after January first, nineteen hundred and thirty-seven, be construed to mean the Legislature herein provided for.

That Section 5 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 5. At the regular session of the Legislature held in the year nineteen hundred and thirty-five the Legislature shall by law determine the number of members to be elected and divide the state into Legislative Districts. In the creation of such Districts, any county that contains population sufficient to entitle it to two or more members of the Legislature shall be divided into separate and distinct Legislative Districts, as nearly equal in population as may be and composed of contiguous and compact territory. After the creation of such districts, beginning in nineteen hundred and thirty-six and every two years thereafter, one member of the Legislature shall be elected from each such District. The basis of apportionment shall be the population excluding aliens, as shown by next preceding federal census. In like manner, when necessary to a correction of inequalities in the population of such districts, the state may be redistricted from time to time, but no oftener than once in ten years.

That Section 6 of Article III of the Constitution of Nebraska be amended to read as follows:

Amendment

Sec. 6. The Legislature shall consist of not more than fifty members and not less than thirty members. The sessions of the Legislature shall be biennial except as otherwise provided by this constitution or as may be otherwise provided by law.

That Section 7 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 7. Members of the Legislature shall be elected for a term of two years beginning at noon on the first Tuesday in January in the year next ensuing the general election at which they were elected. Each member shall be nominated and elected in a non-partisan manner and without any indication on the ballot that he is affiliated with or endorsed by any political party or organization. The aggregate salaries of all the members shall be \$37,500 per annum, divided equally among the members and payable in such manner and at such times as shall be provided by law. In addition to his salary, each member shall receive an amount equal to his actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than said salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

That Section 10 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 10. The Legislature shall meet in regular session at 12:00 o'clock (noon) on

the first Tuesday in January in the year next ensuing the election of the members thereof. The Lieutenant Governor shall preside, but shall vote only when the Legislature is equally divided. A majority of the members elected to the Legislature shall constitute a quorum; the Legislature shall determine the rules of its proceedings and be the judge of the election returns, and qualifications of its members, shall choose its own officers, including a Speaker to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense. The Legislature may punish by imprisonment any person not a member thereof who shall be guilty of disrespect to the Legislature by disorderly or contemptuous behavior in its presence, but no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

That Section 11 of Article III of the Constitution of Nebraska be amended to read as follows:

Sec. 11. The Legislature shall keep a journal of its proceedings and publish them (except such parts as may require secrecy) and the yeas and nays of the members on any questions, shall at the desire of any one of them be entered on the journal. All votes shall be viva voce. The doors of the Legislature and of the Committees of the Whole, shall be open, unless

when the business shall be such as ought to be kept secret.

Sec. 14. Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage. No such vote upon the final passage of any bill shall be taken, however, until five legislative days after its introduction nor until it has been on file for final reading and passage for at least one legislative day. No bill shall contain more than one subject, and the same shall

be clearly expressed in the title. And no law shall be amended unless the new act contain the section or sections as amended and the section or sections so amended shall be repealed. The Lieutenant Governor, or the Speaker if acting as presiding officer, shall sign, in the presence of the Legislature while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature.

That Sections 12 and 28, of Article III, and Sections 9 and 17, of Article IV, be and the same hereby are repealed, effective as of January 1, 1937.

Appendix B

The Rules of The Nebraska Legislature

As revised by the Eightieth Session
of the Nebraska Legislature, 1969

RULE 1

Authority

Constitution of Nebraska. Art. III, Sec. 10

Gregg's Handbook of Parliamentary Law. The rules of parliamentary practice comprised in Gregg's Handbook of Parliamentary Law, Rev. Ed. c 1940, shall govern the Legislature in all cases to which they are applicable and in which they are not inconsistent with the standing rules of the Legislature

Amendment and suspension of rules. Rule 17.

RULE 2

Presiding Officer

Section 1. **Presiding Officer:** Lieutenant Governor, Speaker. The Lieutenant Governor shall preside as President of the Legislature, and the Speaker shall preside when the Lieutenant Governor shall be absent, incapacitated or shall act as Governor. (Const. Art. III, Sec. 10). All references herein made to the President shall be construed as meaning also the Speaker whenever he may preside.

Member of Reference Committee. Rule 14.

Member of Committee on Order and Arrangement Rule 5

Sec. 2. **Chairmen of Committees Preside, When.** In the absence of both the Lieutenant Governor and the Speaker, the order of the presiding officer of the Legislature shall be as follows:

Chairman of the Legislative Council
Chairman of the Committee on Committees
Chairman of Committee on Judiciary
Chairman of Committee on Government
and Military Affairs

Chairman of Committee on Budget
Chairman of Committee on Revenue
Chairman of Committee on Education
Chairman of Committee on Banking,
Commerce and Insurance

Chairman of Committee on Public Works
Chairman of Committee on Agriculture
and Recreation

Chairman of Committee on Public Health
and Welfare

Chairman of Committee on Miscellaneous
Subjects

Chairman of Committee on Salaries and
Claims

Chairman of Committee on Labor

Chairman of Committee on Urban Affairs

All the powers herein conferred on the President shall be exercised, except the authority to sign bills or resolutions passed by the Legislature.

Sec. 3. **Member Presides, When.** The President shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond adjournment.

Sec. 4. **President Calls Legislature to Order: Quorum.** The President shall take the chair each legislative day at the hour to which the Legislature shall have adjourned at the last sitting. He shall call the Legislature to order, and a quorum being present, shall proceed in the manner and order prescribed by these rules. A majority of the members elected to the Legislature shall constitute a quorum. (Const. Art. III, Sec. 10.)

Sec. 5. **Absence of Quorum.** If the President finds that a number less than a quorum is present, he shall so state, and a majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature.

Sec. 6. **President to Preserve Order.** The President shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

Sec. 7. **Point of Order, President Decides: Appeal.** The President may speak to a point of order in preference to members, rising from his seat for that purpose, and shall decide the questions of order, subject to an appeal to the Legislature by any member; on which appeal no member may speak more than once, unless by leave of the Legislature.

Sec. 8. **Putting Question.** The President shall rise to put a question, but he may state it sitting.

Sec. 9. **President Shall Sign.** The President shall sign, in the presence of the Legislature, while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature. (Const. Art. III, Sec. 14.) All writs, warrants and subpoenas issued by order of the Legislature shall be under his hand and seal, attested by the Clerk.

Sec. 10. **Lieutenant Governor Votes, When.** The Lieutenant Governor, when presiding, shall vote only when the Legislature is equally divided. (Const. Art. III, Sec. 10.)

RULE 3

**Officers Elected and Their Duties:
Recall; Employees, Selection and Duties.**

Sec. 1. Nomination and Election. At the commencement of each regular session, the Legislature shall nominate and second from the floor and before the ballot is taken each person so nominated for the following offices shall make a public statement to the Legislature indicating what the Legislature may expect from him or her in the area of the responsibility of such office; secret ballots shall be taken:

Speaker

Chairman of Committee on Committees

Chairman of Legislative Council

Vice-Chairman of Legislative Council

Sec. 1A. At the commencement of each regular session, the Legislature shall nominate by informal ballot and shall elect by ballot the following officers:

Chief Clerk of the Legislature

Assistant Clerk of the Legislature

Sergeant-at-arms

Assistant Sergeant-at-arms

Postmaster

Chaplain

Officers and employees recommended by the Executive Board of the Legislative Council. See 50-111, R.S. Supp. 1967.

Sec. 2. Officers, Vote Necessary to Elect. A majority vote of the elected members shall be required for the election of each such officer.

Sec. 3. Recall of Officers. Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature, and the vacancy thus created shall be filled by a majority vote of the members.

Sec. 4. Oath of Officers. Each permanent officer shall take an oath to support the Constitution of the United States, and the Constitution of the State of Nebraska, and to discharge faithfully the duties of his office according to the best of his ability.

Sec. 5. Duties of Officers, General. In general the duties of the officers of the Legislature shall be those usual to such officers.

Sec. 6. Speaker, Duties, Rule 2.

Speaker is member of Reference Committee. Rule 14, Sec. 1.

Speaker is member of the Executive Board of the Legislative Council. See 50-401.01, R.S. Supp. 1967.

Speaker is co-ordinator for the chairmen of standing committees.

Speaker provides floor leadership so as to expedite Legislative processes.

Sec. 7. Clerk of the Legislature, Duties.

(a) The Clerk of the Legislature shall keep a brief but accurate daily journal of the proceedings of the Legislature.

Const. Art. III, Sec. 11

Daily Journal Rule 8.

(b) The Clerk of the Legislature shall have the responsibility to supervise employees once they are hired.

(c) The Clerk of the Legislature shall print no paper or document, except bills and the daily journal, unless authorized by a majority vote of the elected members of the Legislature.

(d) The Clerk of the Legislature shall make a detailed and itemized report to the Legislature each month, concerning the number of employees, and the amount paid for their services, especially setting out the amount of regular time and overtime, and to whom paid.

(e) The Clerk of the Legislature shall have general charge, except as may be provided by

law or by rule, of such parts of the Capitol and its passages as are or may be set apart for the use of the Legislature and its officers and employees.

Sec. 8. Assistant Clerk, Duties. The Assistant Clerk shall, in the absence of the Clerk, be authorized to exercise all of the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature.

Sec. 9. Sergeant-at-arms, Duties. The Sergeant-at-arms shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him by the presiding officer, and shall enforce strictly the rules as they relate to privileges of the Legislative Chamber.

Sec. 10. Assistant Sergeant-at-arms, Duties. The Assistant Sergeant-at-arms shall assist the Sergeant-at-arms and in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant-at-arms.

Sec. 11. Postmaster, Duties. The Postmaster shall superintend the post office kept in the Capitol for the accommodation of the members, and shall be responsible for the prompt and safe delivery of their mail.

Sec. 12. Chaplain, Duties. The Chaplain shall attend and shall open with prayer each day's sitting of the Legislature.

Sec. 13. Employees, Selection. A committee of five members shall recommend to the Legislature for its approval and election, employees and their salaries as provided for in Section 50-111 and 50-112, R.S. Supp. 1967. All employees shall be selected without reference to party affiliation.

RULE 4

Members: Attendance, Decorum and Debate

Sec. 1. Presence of Members Required. Every member shall be present within the Legislative Chamber during the meetings of the Legislature and shall attend the regular meeting of the standing committee of which he is a member, unless excused by the Legislature or the Committee Chairman. Members who have been excused by the Legislature shall notify their Committee Chairman that they will be absent.

Sec. 2. Presence of Member May Be Compelled. The presence of any member may be compelled, if necessary, by sending the Sergeant-at-arms, or such other person or persons as the membership present may authorize, at the expense of such absent member, unless such excuse for non-attendance is made as the Legislature may judge sufficient; and in that case the expense shall be paid out of the contingent fund.

Call of the Legislature, Rule 9, Sec. 8.

Sec. 3. Absence of Member May Be Explained. Upon the completion of the roll call on the final passage of a bill, any member may explain the absence of any other member, and if requested in writing by the absent member to do so, may state how he would have voted if present, and such statement, if submitted to the Clerk in writing, and containing not more than thirty words, shall be entered in the daily journal.

Sec. 4. Expulsion of Members. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no



Lincoln statue west of Capitol

member shall be twice expelled for the same offense. (Const. Art. III, Sec. 10.)

Sec. 5. Decorum: Members May Speak Only When Recognized by President. When a member desires to speak in debate or to deliver any matter to the Legislature, he shall rise from his seat and respectfully address himself to "Mr. President." A member shall speak only when recognized and shall confine himself to the question before the Legislature.

Sec. 6. Decorum: Abusive Language and Interruptions Prohibited. No member shall speak to another who has the floor, except when he may yield to a question, or otherwise interrupt the business of the Legislature. No member shall rise to a question of privilege for the introduction of guests while a member is speaking. Visitors may be introduced only upon written notice to the presiding officer, who shall then recognize the introducer at a proper time. No member shall use profane or abusive language when speaking to or about another member.

Sec. 7. Decorum: During Final Reading. Members shall remain in their seats during the Final Reading of a bill and until the vote thereon has been announced, except when excused by the President.

Sec. 8. Transgression of Rules: Call to Order. If any member, in speaking or otherwise, transgresses the rules of the Legislature, the presiding officer shall, or any member may, call him to order, in which case he shall immediately sit down; unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide the case without debate. If

the decision be in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to censure or such punishment as the Legislature may deem proper.

Sec. 9. Call to Order: Words Excepted to Must Be Indicated. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature; but he shall not be held to answer, nor be subject to the censure of the Legislature therefor, if further debate or other business shall have intervened.

Sec. 10. Debate: Limitations, Proponent May Close. No member shall speak more than twice, nor for more than ten minutes on each occasion, upon any one question in debate during the same legislative day, without leave of the Legislature, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken.

For right of proponent to close debate when previous question ordered, see Rule 10, Sec. 11.

Sec. 11. Explanation of Vote Permitted. A member shall be permitted to explain his vote on roll call upon any question, but such explanation shall be limited to fifty words, and shall not be entered in the daily journal unless the same be submitted to the Clerk in writing.

Sec. 12. Debate: Permanent Record. A verbatim record of all debate and questions on all bills and resolutions, and amendments offered thereto, shall be made, transcribed and preserved, under the direction of the Clerk.

RULES

Committees

Sec. 1. Committee on Committees. At the commencement of each session, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large who shall be chairman, and three from legislative district Nos. 1, 2, 25 through 33, 37 and 46; three from legislative districts Nos. 3 through 14 and 20; three from legislative districts Nos. 15 through 19, 21 through 24, 34 and 35; and three from legislative districts 36 through 46 with the exception of 37 and 46.

Chairman is member of Reference Committee for bills and resolutions. Rule 14, Sec. 1.

Committee on Committees is reference committee on nominations by Governor. Rule 14, Sec. 2.

Sec. 2. Committee on Committees Shall Recommend Standing Committees, Designate Chairmen. The Committee on Committees, by a majority vote of all of its members, shall recommend to the Legislature for its approval and adoption the following standing committees, each with the number of members as hereinafter set forth, one of whom shall be designated by the Committee on Committees as chairman thereof:

| | |
|-------------------------------|-----------|
| Agriculture and Recreation | 8 members |
| Banking, Commerce & Insurance | 8 members |
| Budget - Appropriation | 9 members |
| Education | 8 members |
| Enrollment and Review | 1 member |
| Government & Military Affairs | 8 members |
| Intergovernmental Cooperation | 5 members |
| Judiciary | 8 members |

| | |
|---------------------------|-----------|
| Labor | 7 members |
| Miscellaneous Subjects | 8 members |
| Public Health and Welfare | 7 members |
| Public Works | 8 members |
| Reference | 3 members |
| Revenue | 8 members |
| Rules | 5 members |
| Salaries and Claims | 7 members |
| Urban Affairs | 8 members |

The Speaker shall not be a member of any standing committee except as provided in section 11 of Rule 5.

Sec. 3. Committee on Committees Shall Select Other Committees. The Committee on Committees shall select, aside from the standing committees of the Legislature, all other committees, except where otherwise ordered by the Legislature. No investigating committee of the Legislature shall be created except by resolution which shall set forth, with supporting statements, the reasons for and purposes of the investigation, and no committee thus established shall function except during the interim between legislative sessions.

Sec. 4. Committee on Committees Shall Arrange and Publish Schedules of Standing Committee Hearings. The Committee on Committees shall arrange and publish a schedule of regular standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to such committees, and shall cause a copy of such schedule to be posted in some conspicuous place in the Capitol near the Legislative Chamber.

Sec. 5. Enrollment and Review, Privileged Committee. The Chairman of Enrollment and Review shall be privileged, and shall be in order at any time in reporting bills which have been engrossed for Final Reading and passage. In the absence of the Chairman, the Vice-Chairman of the Judiciary Committee shall assume the duties of the Chairman of Enrollment and Review. The bill drafting service shall have supervision of and provide legal services for the Enrollment and Review Committee.

Sec. 6. Enrollment and Review, Authority to Make Corrections. The Chairman of Enrollment and Review shall have authority, without being required to include the same specifically in his reports and recommendations to the Legislature, in accord with accepted usage:

a. To correct the spelling of words, to correct erroneous division and hyphenation of words, to capitalize or decapitalize words, and to change numbers from words to figures or from figures to words, in new and independent acts, in the new matter of amendatory acts, in standing committee reports, and in General File, Select File and specific amendments.

b. To underscore or remove underscoring, as the case requires, in standing committee reports and in General File, Select File and specific amendments.

c. When an amendment to add the emergency clause is adopted on Select File which does not spell out the standard emergency clause and make the necessary change in the title, the Chairman of Enrollment and Review shall also have the authority to add to the engrossed bill the standard emergency clause, assigning to it the appropriate section number, and make the necessary change in the title as a matter of

course without including such action in his reports and recommendations to the Legislature or making any special record thereof.

Chairman of Enrollment and Review to give preference to bills readvanced from General File after having been recommitted from Select File. Rule 12, Sec. 8-d.

Sec. 7. Committee on Salaries and Claims; Filing, Limitation. No claim shall be considered by the Salaries and Claims Committee unless filed and considered by the Sundry Claims Board within or before the first twenty legislative days of the session, unless otherwise ordered by the Legislature.

Sec. 8. Claims Previously Rejected. The Claims Committee shall not consider any claims heretofore filed with and rejected by the Legislature at two or more previous sessions.

Sec. 9. Committee on Order and Arrangement; Members, Duties. The Committee on Order and Arrangement shall consist of the Speaker of the Legislature; Chairman. Other members: Chairman of the Committee on Committees and the Lt. Governor. It shall be the duty of this committee beginning the twenty-first legislative day to report to the Legislature the order in which bills and resolutions shall be considered on General File. The order so reported shall become effective only upon approval of the Legislature. The committee shall meet subject to call by the Chairman.

Sec. 10. The chairman of each committee shall take into consideration the importance, need for, and passage of the bills referred to his committee and set the bills for hearing accordingly. Reference Committees:

For bills and resolutions. Rule 14, Sec. 1.

For nominations by Governor. Rule 14, Sec. 2.

For amendment of rules. Rule 17.

Sec. 11. When a member or members of the Legislature are absent because they are incapacitated and unable to serve, or continue to serve, on a committee, the chairman of such committee after a majority vote of the committee shall request one or more temporary appointments as the case may be to fill such vacancy or vacancies. The request shall be made to the Committee on Committees and such Committee shall appoint either the Speaker, or a member from a regular standing committee having eight members to fill such vacancy or vacancies. A temporary appointment may also be made by the Chairman of the Committee on Committees for only one day when requested by a chairman of a regular standing committee which lacks a quorum. When a member is appointed from an eight-member committee the consent of the member to be appointed shall first be obtained. The temporary appointee shall have the right to vote only on the bill or bills that actually have been heard by the appointee and provided that the vote is taken on such bills on the day the bill or bills are heard. When such appointment is made in case of an incapacitated member or members, such appointee shall cease to be a member of such committee upon the return of the incapacitated member for whom he was appointed.

Sec. 12. The Nebraska Retirement Systems Advisory Committee together with the chairman of the Budget Committee shall function during each legislative session as a standing committee of the Legislature, shall have jurisdiction over

all bills proposing new or amending existing retirement systems of the state and its political subdivisions.

RULE 6

Committee Hearings and Reports, Officers

Sec. 1. Vice-Chairmen. Each standing committee shall elect from its membership a vice-chairman to serve in the absence of the chairman.

Chairmen designated by Committee on Committees. Rule 5, Sec. 2.

Enrollment and Review Vice-Chairman is Vice-Chairman of Judiciary. Rule 5, Sec. 5.

Sec. 2. Committee Hearings, Time. Standing committees shall meet at 2:00 p.m., unless otherwise ordered by the Legislature. Any Committee Chairman before deciding not to hold committee meetings or a committee meeting on an assigned day, must receive permission from a majority of the Reference Committee.

Sec. 3. Committee Hearings, Notice. Before taking final action on a bill or resolution, a committee shall hold a public hearing thereon and shall give at least five calendar days' notice, by publication in the Legislative Journal, of the date and time of said hearing. Committee chairmen shall make rules concerning length of public hearings but no rebuttal shall be for more than ten minutes.

Reference committee exception. Rule 14, Sec. 1.

Sec. 4. Committees May Combine and Correlate Bills, Adopt Amendments. Standing Committees shall be authorized to combine and to correlate the provisions of different bills referred to them and related to the same subject under the number of one of the correlated bills, and may, before taking final action on any bill, adopt amendments thereto, for the consideration of the Legislature.

Sec. 5. Record of Committee Proceedings. Each standing committee shall keep a record of its proceedings. Any two members of the committee may demand a roll call upon the reporting of any bill, or upon amendments thereto. The vote so taken shall be made a part of the committee report, and shall be entered in the daily journal.

Sec. 6. Committees shall Report Promptly. Standing committees shall consider and report without unnecessary delay all bills and resolutions referred to them.

Sec. 7. Legislature May Request Committee Report or to Advance Bill. Except for the general appropriation bills necessary for the support of the state government for the biennium, the Legislature may, by vote of a majority of the elected members, request a report from any standing committee at any time after said committee shall have been in possession of a bill or resolution for twenty legislative days.

Any Senator may move that a bill be placed on General File twenty days or more after the committee hearing, and by a vote of a majority of the elected members, said bill shall be placed on General File.

Anytime the introducer of a bill attempts to take a bill from committee to be placed on General File, the bill shall stand indefinitely Postponed if the motion fails to receive a majority vote of the members elected to the Legislature.

Sec. 8. Committee Reports Must Recommend Bills for General File or Indefinite Postponement: Majority Vote of Members at Regular Meeting Required. In reporting bills to the Legislature, whether with or without amendments, a standing committee shall, by vote of a majority of its members, recommend (a) that the bill be placed on General File for the consideration of the Legislature, or (b) that the bill be Indefinitely Postponed. Such action shall be taken at regularly scheduled committee meetings only. A report on a bill or resolution must be made to the Legislature within eight calendar days after the committee has acted upon the particular measure. No bill shall be reported by the committee to be placed on General File unless the amendments, if any, are approved as to form and draftsmanship by the bill drafter.

Sec. 9. Effect of Committee Report to Postpone Indefinitely. If the standing committee report on a bill be to postpone indefinitely, the bill shall stand Indefinitely Postponed: Provided, that such bill may be placed on General File or referred back to the standing committee by a majority vote of all the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of all elected members upon motion made more than three legislative days after such committee report. Not more than one bill shall be raised from committee on any one motion. A motion to raise cannot be amended to include any other bill or subject matter. A motion to raise must be disposed of by the Legislature within five legislative days after making the same or it shall be deemed defeated. Consideration of motions pending shall be included in the regular order of business following resolutions.

Sec. 10. Committee Reports, Statements and Amendments: Minority Report. Each standing committee shall, when reporting a bill, submit therewith a brief statement of the main purpose of the bill, and, if recommended to General File, a copy of all amendments recommended by the committee. Such statement shall give the committee's reason for so reporting, and the minority view, if such there be, shall also be given. Copies of such statements and amendments shall be furnished to the members.

Sec. 11. Executive Sessions. Members and reporters of regularly accredited newspapers, press associations, and radio and television stations shall be admitted to executive sessions of the standing committees, and such reporters and the members of such committees shall respect as confidential the discussions and voting of the other members of any standing committee.

RULE 7

Order of Business

Sec. 1. Hour of Meeting and Adjournment. The Legislature shall meet each legislative day at 9:00 a.m., and adjourn not later than 1:00 p.m., unless otherwise ordered by a majority vote of its members present and voting thereon.

Sec. 2. Order of Business. The order of business of the Legislature shall be as follows:

- a. Prayer by the Chaplain
- b. Roll call
- c. Call for correction of the journal
- d. Petitions and memorials

- e. Notice of committee hearings
- f. Reports of standing committees
- g. Reports of select committees
- h. Bills on Final Reading
- i. Resolutions
- j. Introduction of bills
- k. Bills on First Reading by title
- l. Reference of bills to committees on a day subsequent to First Reading
- m. Consideration of bills on Select File
- n. Motions to reconsider
- o. Motions to advance bills from committee
- p. Other pending motions
- q. Unfinished business, including messages on the President's desk
- r. Special order of the day
- s. Consideration of bills on General File
- t. Miscellaneous business

Sec. 3. Messages From the Governor, Preference. Messages from the Governor may be received at any stage of the proceedings, except when a question is being put, the yeas and nays are being called for, the ballots are being counted, or a question of order or a motion to adjourn is pending.

Sec. 4. Special Order of the Day, Effect of Adjournment. When a bill shall have been made a special order for a definite time and an adjournment shall intervene for a time beyond the time fixed for such special order, then in that event the bill so made a special order shall be placed in its order on General File.

Sec. 5. Unfinished Business, Effect of Adjournment. The unfinished business in which the Legislature was engaged at the adjournment of the last preceding sitting shall have preference in the special order of the day.

Sec. 6. Legislative Days. Each day except Saturday and Sunday shall be considered a legislative day, unless otherwise specifically ordered by the Legislature, by a majority of the members present and voting thereon.

RULE 8 Daily Journal

Sec. 1. Journal Prepared by Clerk, Furnished to Members; Corrections. A daily journal of the proceedings of the Legislature, as prepared by the Clerk, shall be printed and placed each day upon the desks of the members; and the presiding officer shall call in the regular order of business for corrections thereof. After corrections, if any, are made, the journal shall stand approved without motion.

Sec. 2. Journal Entries. The Clerk shall enter in the daily journal messages of the Governor in full; titles of bills; every vote, including the yeas and nays, and a brief statement of the contents of each resolution, petition, and memorial or other paper presented for the consideration of the Legislature.

Constitutional amendments printed in Journal. (Const. Art. XVI, Sec. 1.)

Sec. 3. Title, Parts of Bills Entered in Journal. In addition to the title, only such parts of a bill as shall be affected by proposed amendments shall be entered in the daily journal.

Sec. 4. Amendments Offered, But Not Adopted, Not Entered; Exception. In the consideration of bills on General or Select File, amendments offered but not adopted shall not be entered in the journal except where a record vote is demanded.

Sec. 5. Hour of Adjournment Entered. The hour at which the Legislature adjourns shall be entered in the daily journal.

Sec. 6. Additional Copies for Members. Additional copies of the daily journal, to be mailed at his direction, shall be supplied for the use of each member, in such manner as shall be provided by the Legislature.

Sec. 7. Bound Journal, How Printed. The bound journal of the session shall be printed from the corrected daily journal.

Journal, cross references:

Yeas and nays entered in journal at request of any member. (Const. Art. III, Sec. 11.)

Yeas and nays on final passage of bill shall be published in the journal. (Const. Art. III, Sec. 13.)

Explanation of absence and statement of how absent member would have voted. Rule 4, Sec. 3.

Explanation of vote. Rule 4, Sec. 11.

Committee reports. Rule 6, Sec. 5.

Only totals of machine vote entered. Rule 9, Sec. 3.

Notice of committee hearings must be published. Rule 6, Sec. 3.

RULE 9

Manner and Record of Voting

Sec. 1. Votes Taken Viva Voce; Form of Question. All votes shall be taken viva voce. Questions shall be distinctly put in this form, to wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'no'."

Sec. 2. Yeas and Nays Vote Required on Final Passage of Bill; Applies to Resolution, When. Upon the final passage of a bill, or of a resolution if the same requires the same consideration as a bill, the vote shall be by yeas and nays, and this rule shall not be suspended.

Sec. 3. Machine Vote, When. If a machine vote is called for, or if the presiding officer is in doubt, he shall cause the result to be obtained by means of the electric roll call system; and only the totals shall be printed in journal.

Sec. 4. Record Vote, Member May Demand. Any member may call for a record vote upon any question (Const. Art. III, Sec. 11), and upon declaration of the yeas and nays by the members, the record thereof shall be made and taken upon the electric roll call system, unless the Legislature by a majority vote decides that a roll call shall be taken.

Sec. 5. For Yeas and Nays and Call of House, Vote on Electric System; Limitation on Time to Vote. In taking the yeas and nays and upon call of the Legislature, the members shall register their vote upon the electric roll call system. When the yeas and nays are taken upon any question in the manner heretofore indicated, no member shall be permitted to vote after the decision is announced from the chair.

Sec. 6. When More Than Majority Vote Necessary, Electric System Used. In all instances where the vote, necessary to adopt a motion or other proposition, is other than that of a majority voting upon the question, the presiding officer shall, unless the Legislature by unanimous vote decides otherwise, cause the result thereof to be obtained by means of the electric roll call system. In such case, no member shall be permitted to vote after the yeas have been announced by the Clerk. Votes not

registered on the electric roll call system or given to the Clerk by voice shall not be counted for or against a proposition.

Sec. 7. Member May Demand Verification of Vote. Any member may demand verification of the vote on roll call; Provided, that on the final passage of bills verification shall always be made.

Sec. 8. Call of the Legislature. A call of the Legislature must be seconded by at least five members. Thereupon, and upon call of the presiding officer, each member present shall indicate his presence upon the electric roll call system and shall remain in his seat during the call. After the Clerk shall note the names of the absentees, proceedings under the call may be suspended at any time by a majority vote of the members elected, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members present and voting thereon. When the Legislature has been under call for fifteen minutes, and if all absentees were to vote on one side of the question, and if their combined vote would be insufficient to change the result of the vote, the President shall declare the call raised.

Voting, cross references:

Lieutenant Governor votes only when Legislature equally divided. Rule 2, Sec. 10.

Explanation of vote. Rule 4, Sec. 11.

RULE 10

Motions and Their Precedence

Sec. 1. Statement of Motions. When a motion has been made and seconded, the presiding officer shall state it, or being in writing, shall cause it to be read aloud by the Clerk before being debated.

Sec. 2. Motions Must be Written, When. Every motion shall be reduced to writing if the presiding officer or any member desires it.

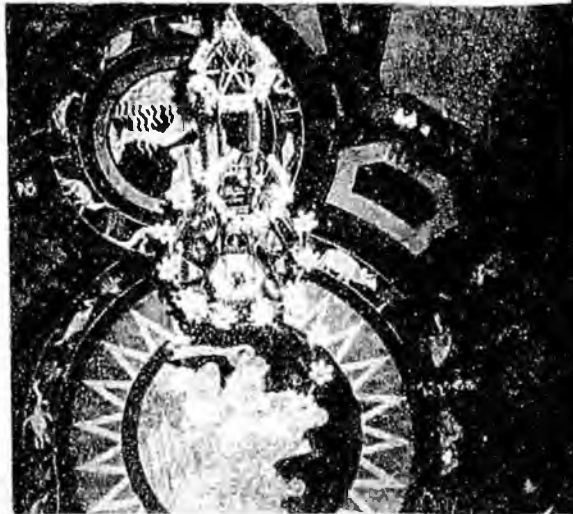
Sec. 3. Withdrawal or Modification of Motions. After a motion has been stated by the presiding officer, or read by the Clerk, it shall be deemed in possession of the Legislature, but may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

Sec. 4. Motions Received When Questions Under Debate: Precedence. When a question is under debate no motion shall be received but:

- a. To adjourn
- b. To lay on the table
- c. For the previous question
- d. To postpone to a certain time
- e. To commit.
- f. To amend.
- g. To postpone indefinitely.

Such motions shall have precedence in the order in which they are arranged; except that motions to postpone indefinitely and amend do not yield to each other. No motion to postpone to a certain time, to commit or to postpone indefinitely being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

Sec. 5. Motion to Strike Enacting Clause; Effect, Precedence. A motion to strike the enacting clause of a bill, if carried, is equivalent to rejection of the bill. Such motion shall not have precedence over a motion to amend nor over a motion to postpone indefinitely.



Chandeller and mosaics, main rotunda.

Sec. 6. Motion to Adjourn, Adjourn to Time Certain, to Recess: Precedence. A motion to adjourn, or a motion to fix the day to which the Legislature shall adjourn shall always be in order, except:

- a. While a member is speaking.
- b. When a motion to adjourn has just been defeated.
- c. When a motion to fix the day to which the Legislature shall adjourn has just been defeated.
- d. After the Final Reading of a bill and during roll call thereon.

Provided, however, that a motion to adjourn to a time certain shall have precedence over a motion to adjourn; and provided further, that a motion to recess shall take precedence over either of such motions.

Sec. 7. Motion to Adjourn Pending Motion to Suspend Rules. Pending a motion to suspend the rules, the presiding officer may entertain one motion to adjourn, but after the result thereon is announced he shall entertain no other motion until the vote has been taken on suspension.

Sec. 8. The Previous Question, Form. The previous question shall be in this form, "Shall the debate now close?"

Sec. 9. The Previous Question: Seconds Required, Vote Necessary, Effect. The previous question shall be in order when demanded by five or more members and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in Section 11 of this rule, preclude further debate and all amendments and motions, except one motion to adjourn and one motion to lay on the table.

Sec. 10. Previous Question Undebatable. On a previous question there shall be no debate. All incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

Sec. 11. Previous Question Ordered: Proponent to Close Debate. When the previous question shall have been ordered on a

proposition under debate, the mover, proponent or introducer of such proposition shall be given the right to close the debate thereon.

Sec. 12. Questions of Privilege, What Are. Questions of privilege shall be, first, those affecting the rights of the Legislature collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence over all other questions, except motions to adjourn. Questions of privilege shall not be used to permit any discussion or debate pertaining to any measure pending before the Legislature. All questions of privilege shall be channeled through the presiding officer and the reason for such stated. The decision of order of permission shall be made by the presiding officer.

Question of privilege is not in order for introduction of guests while member speaking. Rule 4, Sec. 6.

Sec. 13. Reconsideration: Who May Move, Time for Motion. When a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move a reconsideration thereof. A motion to reconsider must be made on the same day the original question was decided or on the next legislative day, except when it be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading. In such case, it must be made on the same day the original question was decided or on one of the next three legislative days. A motion to reconsider must be disposed of by the Legislature within 5 days after making the same or it shall be deemed defeated. If the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

Motion to reconsider cannot be withdrawn without leave. Rule 10, Sec. 3.

Sec. 14. Reconsideration, Precedence. Every motion to reconsider shall take precedence over all other questions, except a motion to adjourn.

Sec. 15. Reconsideration, Vote Necessary. For its adoption, a motion to reconsider shall require the vote of a majority of the elected members, except:

a. Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading, then a three-fifths vote shall be required for adoption.

b. Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading with the emergency clause attached, but which received the constitutional majority with the emergency clause stricken and the purpose of the motion is to again add the emergency clause, then a two-thirds vote of the elected members shall be required for adoption.

Sec. 16. Amendments in Order. When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

Sec. 17. Amendment to Title of Bills. Amendments to the title shall not be in order during the consideration of a bill or resolution on General or Select File until the bill or resolution shall have been considered in full.

Sec. 18. Amendment Laid on Table Does Not Carry Principal Measure. When an amendment proposed to any pending measure is laid on the table, it shall not carry with it or prejudice such measure.

Sec. 19. Amendments, Preference in Consideration. When the Legislature is considering bills on either General or Select File, after giving consideration to standing committee amendments, it shall give preference to such amendments as may have been on file with the Clerk, with copies on the members' desks for one legislative day in advance, and then to such other amendments as have been deposited with the Clerk, in the order in which they were received by him.

Sec. 20. Amendments, Must Be Germane. No motion, proposition or subject, different from that under consideration, shall be admitted under color of amendment.

Sec. 21. Division of a Question, When. Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out, being lost, shall not preclude an amendment or a motion to strike out or insert.

Sec. 22. No bill shall be divided into two or more bills.

RULE 11

Bills—General Provisions

Sec. 1. Introduction. Upon call for the introduction of bills, any member or any standing committee to which bills are referred for consideration may introduce one or more bills. No bill shall be introduced unless it has been approved as to form and draftsmanship by the legislative bill drafter. The name of the introducer shall be followed by the number of his legislative district. Preceding each legislative session, the Chairman or any member of the Executive Board of the Legislative Council, or, if the Executive Board so requests, the Senator who, in the preceding session served as Chairman of the Judiciary Committee, shall sign as introducer of the Revisor of Statutes correctional bills. The Clerk of the Legislature shall number these bills consecutively beginning with number 1 and shall show the committee reference to be to General File. The Clerk of the Legislature shall have these bills printed before the convening of the next regular session.

Sec. 1(b) In addition to causing to be printed the revisor bills the Clerk shall number and cause to be printed all bills delivered to him by the executive board, provided said board has referred said bills to a standing committee. No bill so printed shall be withdrawn until after the Legislature convenes.

Sec. 2. Introducer Must Be Willing to Support. Members shall introduce only such bills as they are willing to endorse and support personally. Not more than three Senators shall sign any single bill. Provided that, this limitation shall not apply to committee bills, to Legislative Council bills, and to Revisor of Statutes corrective bills. Any additional signers shall be by the suspension of the rules with a machine

vote, and cannot be made by a unanimous consent motion.

Sec. 3. Time for Introduction, Limitation, Fiscal Notes. No bill shall be introduced after the twentieth legislative day, except upon recommendation of the Governor or by a majority of the members of a standing committee whose names shall be affixed to the bill and upon the vote of three-fifths of the elected members of the Legislature. After the ninetieth legislative day, no bill shall be introduced except by the unanimous consent of the Legislature or upon recommendation of the Governor. After January 1, no bill shall be drafted by the bill drafter unless requested or authorized by a member of the legislature.

Before an individual member may apply to a committee for introduction of a bill, he must first submit the bill to the Reference Committee; the Reference Committee shall determine which committee of the Legislature the subject of the bill is germane to. The bill shall then be submitted to the committee designated by the Reference Committee. A standing committee shall not recommend a bill for introduction unless the subject matter of the bill is germane to the subjects assigned to such committee.

A copy of intent of a bill recommended for introduction by a committee must be placed on each member's desk before such introduction of the bill is voted upon.

A copy of every bill introduced shall be transmitted by the Clerk to the Legislative Fiscal Analyst. The Legislative Fiscal Analyst shall review each bill and make an estimate of the anticipated change in state expenditures or revenue under the provisions of the bill. The Legislative Fiscal Analyst shall prepare a statement to be known as a fiscal note to be attached to each bill prior to its public hearing by a committee, or its first consideration on General File if the bill is referred directly to General File. The fiscal note shall set forth the fiscal impact of the bill as determined by the Legislative Fiscal Analyst. No bill which has a fiscal impact of more than five thousand dollars shall be heard by a committee or considered on General File unless the fiscal note is attached.

In determining the fiscal impact of any bill, the Legislative Fiscal Analyst shall request the appropriate department or other entity of state government which will be affected by the bill to prepare the fiscal note within five calendar days.

The Legislative Fiscal Analyst shall review the fiscal note prepared by the department or other entity, and shall also request a review of such fiscal note by the Budget Division of the Department of Administrative Services. The statement by the Budget Division of the Department of Administrative Services shall be attached to and become a part of the fiscal note. The Legislative Fiscal Analyst shall include in the fiscal note any exceptions to the conclusions of the department or other entity and of the Budget Division of the Department of Administrative Services.

The fiscal note shall be delivered by the Legislative Fiscal Analyst to the Clerk within ten calendar days of receipt of a copy of the bill for analysis. The Clerk shall attach the fiscal note to the bill and to all copies prepared for members.

When amendments to a bill are adopted by a committee or the Legislature, and such amendments would change the fiscal impact of the bill,

the appropriate changes shall be made in the fiscal note.

When the Legislative Fiscal Analyst determines that the fiscal impact of a bill will be less than five thousand dollars, it shall not be necessary to prepare a detailed fiscal note, and the fiscal note may merely state this fact.

When any bill proposes adoption of a new program for which appropriations have not previously been made, an appropriations bill for the purposes of funding the provisions of such bill shall be prepared from the information contained in the fiscal note. Such appropriations bill shall be introduced by the introducer of the original bill, shall bear the number of the original bill with the letter "A" added (for example LB 1A), and shall accompany the original bill through all stages of the legislative process."

2. The legislative bill drafter is hereby directed to prepare any amendments to other Rules of the Legislature made necessary by adoption of this amendment, and to submit such amendments to the Rules Committee.

The note shall be factual in nature, as brief and concise as may be, and shall if possible provide a reliable estimate in dollars and, in addition, it shall include both the immediate effect and, if determinable or reasonably foreseeable, the long range effect of the measure. If, after investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given.

No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the note is prepared; however, technical or mechanical defects may be noted.

The subject matter of bills submitted to boards, commissions, departments, agencies or other entities of the state by the Fiscal Analyst shall be kept in strict confidence by said agencies and by the Office of Fiscal Analyst together with the content of the fiscal note itself and no information relating thereto shall be divulged by any official or employee prior to its introduction in the Legislature.

Sec. 4. Bills, How Designated. A bill shall be designated as Legislative Bill —

Sec. 5. Bill Must Contain Only One Subject; Amendment of Laws. No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And no law shall be amended unless the new act contains the section or sections as amended, and the section or sections so amended shall be repealed. (Const. Art. III, Sec. 14.)

Sec. 6. Amendatory Bill, How Printed. An amendatory bill or constitutional provision shall be so prepared and printed as to show the new matter proposed, old matter to be retained, and old matter to be omitted from the Statutes or Constitution.

Sec. 7. Bills Must Be Engrossed Before Final Reading. All bills, before being advanced to Final Reading and passage, shall be engrossed by typewriter, and if amended, shall be reprinted in the manner prescribed in the preceding section, and copies thereof shall be supplied for the use of members.

Sec. 8. Bills Must Receive Two Readings Before Passage. Every bill and resolution shall be read by title when introduced, and a printed

copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage. (Const. Art. III, Sec. 14.)

Sec. 9. Vote Required to Expend Money or Change Compensation. It shall require the vote of a majority of the members elected to expend money by the Legislature or to change the compensation of any officer or employee.

Sec. 10. Withdrawal of Bills. No bill, having been introduced, may be withdrawn except upon motion of the first introducer with the consent of his co-introducers. Such motion, when made, shall not be considered prior to the next succeeding legislative day, and, for its adoption, shall require the affirmative vote of a majority of those voting upon the question.

RULE 12

Bills—Stages in Consideration

Sec. 1. Introduction and First Reading.

Introduction. Rule 11, Secs. 1, 2.

Time for introduction. Rule 11, Sec. 3.

First Reading. Rule 11, Sec. 8.

Sec. 2. Reference to Standing or Select Committee.

Reference committee. Rule 14, Sec. 1.

Readings. Rule 11, Sec. 8.

Sec. 3. Consideration by Standing or Select Committee, Together With Desired Committee Hearings.

Committee Hearings. Rule 6, Secs. 2-5.

Sec. 4. Report by Standing or Select Committee and Reference to General File.

Committee reports. Rule 6, Secs. 6-10.

Effect of committee report to postpone indefinitely. Rule 6, Sec. 9.

Sec. 5. General File: Reading, Consideration and General Debate by the Legislature.

a. The clerk of the Legislature shall read the number and title of the bill and the name of the principal introducer as it comes up for consideration on General File. A bill will not be read section by section unless requested by a member of the Legislature.

b. Each section shall be open to amendment as read, and the amendments, if any, recommended by the standing committee, shall first be considered for adoption or rejection, after which other amendments may be offered.

Amendments. Rule 10, Secs. 16-20.

c. Bills shall be listed and considered on General File in the order in which they shall be reported from the standing committees, except as modified by the Committee on Order and Arrangement; Provided, that any bill that comes up for debate for a second time, with the introducer present, shall be placed at the bottom of General File if said introducer asked for further time. And no change shall be made in such order, except by a majority vote of the elected members.

d. The general appropriation bills, necessary for the support of the state government for the biennium, shall take precedence over all other bills on General File.

e. At any time during consideration of bills on either General or Select File, any member may move that the bill be passed over, and if the motion is carried by a majority of those voting, the bill shall be passed over and shall retain its place on the File. This motion shall

have the same precedence as to lay on the table.

f. In the event a motion to Indefinitely Postpone a bill is made before the bill is read on General File, such motion shall require the affirmative vote of a majority of the elected members.

Sec. 6. Reference to Enrollment and Review. Advancement to Enrollment and Review for recommendations relative to arrangement, phraseology and correlation, unless Indefinitely Postponed or recommitted to a standing committee. Advancement to Enrollment and Review from General File for such purpose shall require a majority of those voting, but there must be a minimum of eighteen affirmative votes.

Sec. 7. Report by Chairman of Enrollment and Review and Reference to Select File.

Enrollment and Review report. Rule 5, Sec. 6.

Sec. 8. Select File. Consideration by the Legislature, in review on Select File, wherein any of the following motions shall be in order:

a. A motion to approve or reject any or all of the changes recommended by the Chairman of Enrollment and Review.

b. A motion to adopt a unanimous consent amendment, to which no objection shall be offered. When a motion is made to adopt a unanimous consent amendment, the mover shall be required to explain the amendment sought.

c. A motion to recommit to the proper standing committee.

d. A motion to recommit to General File for one or more specific amendments. If such a motion is adopted, the bill shall be transferred forthwith to the head of the General File where consideration of the specific amendment shall be the first order of business on that File. After disposition of the amendment, the bill may be readvanced to Enrollment and Review for review, amended further, Indefinitely Postponed, or recommitted to the proper standing committee. If the bill is readvanced, it shall be given prior consideration by the Chairman of Enrollment and Review and returned to the Select File as soon as possible and placed at the head of that File; Provided, if the bill is not amended, Indefinitely Postponed, or recommitted, it may be advanced to Enrollment and Review for engrossment.

Effect of passing over bill. Rule 12, Sec. 5d.

e. A motion to postpone indefinitely.

f. Motions made pursuant to subsections c, d and e hereof may be adopted only upon the affirmative vote of a majority of the elected members.

No bill shall be considered initially on Select File until three legislative days after its advancement from General File to Enrollment and Review; Provided, that the amendments so recommended shall not be read by the Clerk except upon the request of a member of the Legislature.

Notwithstanding any other provision contained in this section, if the Enrollment and Review Committee returns a bill to Select File from engrossment, then only the specific enrollment and review amendments may be considered.

Sec. 9. Advancement to Enrollment and Review for Engrossment, Unless Recommended to a Standing Committee or Indefinitely Postponed.

Sec. 10. Report by Chairman of Enrollment

and Review and Reference to Final Reading File, or to Select File for Specific Amendment.

Bills must be engrossed before advancement to Final Reading. Rule 11, Sec. 7.

Sec. 11. Conditions Precedent to Placing Bill on Final Reading. No bill shall be placed upon Final Reading and passage until:

a. Five legislative days after the initial reference to Enrollment and Review.

b. Two legislative days after its reference to Final Reading file.

c. Printed copies of the bill in its final form, as amended, shall have been available to members and on their desks for at least one legislative day. (Const. Art. III, Sec. 14.)

Sec. 12. Final Reading. Consideration on Final Reading and passage when the bill shall be read at large with all amendments thereto before the vote is taken (Const. Art. III, Sec. 14); Provided, that at any time before the roll call shall have begun on Final Reading of the bill, it shall be in order to move:

a. To recommit the bill to Enrollment and Review to correct an error and for re-engrossment.

b. To recommit the bill to the proper standing committee, with or without instructions.

c. To recommit the bill to Select File for specific amendment, which amendment may be adopted by a vote of a majority of the elected members; Provided, however, if the proposed amendment be to add the emergency clause, it may only be adopted by a vote of two-thirds of the elected members.

Sec. 13. Question After Final Reading; Emergency Clause. The question after the Final Reading of a bill shall be: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'" If the emergency clause is contained in the bill, the words "with the emergency clause attached" shall be added to the question.

Sec. 14. Emergency Clause; Failure to Receive Constitutional Majority; Effect; Question. When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on Final Reading, then the emergency clause shall be considered stricken, and the bill without the emergency clause shall be pending on Final Reading, and the question then shall be, "Shall the bill pass with the emergency clause stricken?" (Const. Art. III, Sec. 27.)

Sec. 15. Governor's Veto, Consideration. Upon the day of receipt of a message from the Governor announcing his veto of a bill, or on either of the next five legislative days, any member may move that the bill so vetoed be taken up for passage. Whereupon, the question shall be, "Shall the bill pass, notwithstanding the objection of the Governor?"

Three-fifths vote of the elected members required to pass bill over Governor's veto. (Const. Art. IV, Sec. 15.)

The Governor may disapprove any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner prescribed in case of disapproval of bills. (Const. Art. IV, Sec. 15.)

RULE 13

Petitions and Memorials

Sec. 1. Petitions, Memorials and Other Papers

Referred to Committees. Every petition, memorial, or other paper shall be referred to the proper committee without putting a question for that purpose, unless the reference be objected to by a member at the time such petition, memorial or other paper is presented, in which case the Legislature shall decide the question of reference.

Sec. 2. Introducer may make statement. Before any petition or memorial addressed to the Legislature is received and read at the table, whether the same be presented by the presiding officer or a member, a brief statement of the contents of the petition or memorial may be verbally made by the introducer.

Sec. 3. Communications, When Read. No communications or letters shall be read by the Clerk of the Legislature unless authorized by a majority of the Reference Committee.

RULE 14

Questions and Reference

Sec. 1. Reference Committee for Bills and Resolutions, Who Constitutes. The Lieutenant Governor, the Speaker, and the Chairman of the Committee on Committees shall constitute the Reference Committee for the assignment of bills and resolutions to the various standing committees. The Reference Committee shall either refer bills to standing committees or place them on General File. Those placed on General File will be bracketed for five days, and if one senator requests a public hearing on one or more of these bills, they will then be referred to a committee. Bills on General File for which public hearings have not been requested will be handled as all bills on General File.

Sec. 2. Nominations by Governor Referred to Committee on Committees. All nominations made to the Legislature by the Governor, requiring confirmation by the Legislature, shall be referred to the Committee on Committees, and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.

Sec. 3. Members May Object to Reference. Any member may object to the reference of any bill or other proposition, and correction in case of error in reference may be made by the Legislature on any legislative day, immediately following corrections of the daily journal, by unanimous consent, or by the vote of a majority of the elected members.

Sec. 4. Motions for Reference; Preference. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be put first.

Proposed amendments to rules referred to Rules Committee. Rule 17.

Sec. 5. Statement of Purpose by Introducer. Immediately upon the referral of any bill to a standing committee, the first introducer of the bill shall prepare and submit to the committee a statement in writing setting forth the reason for the bill and the purposes sought to be accomplished thereby. Such statement shall be incorporated into the committee records. No bill shall be reported to the Legislature by a committee whether the bill is Indefinitely Postponed or advanced to General File, unless such a statement has been submitted by the introducer of the bill.

RULE 15 Resolutions

Sec. 1. Resolutions; How Designated. A resolution shall be designated as Legislative Resolution —.

Sec. 2. Resolutions Proposing Constitutional Amendments, Granting Money, or Requiring Governor's Approval: Consideration and Adoption. Resolutions which propose amendments to the state constitution, propose the ratification of amendments to the federal constitution, provide for the grant of money out of the contingent or any other fund, or require the approval of the Governor, shall be considered and adopted in the same manner as bills (Const. Art. III, Secs. 13, 14; Art. XVI, Sec. 1.)

Sec. 3. Resolutions Proposing Legislative Council Studies Reference. Resolutions which propose that studies be made by the Legislative Council shall be first referred to the Executive Board of the Legislative Council, this Board to submit a report with each resolution recommending that the proposed study be made or rejected.

Sec. 4. Resolutions Laid Over One Legislative Day. All other resolutions, except by the unanimous consent of the members present and voting, shall lie over for consideration until the next legislative day.

Sec. 5. Resolutions; Reference to Committee; Vote Necessary for Adoption. When called for consideration on the next legislative day after its introduction, any such resolution shall be referred to the proper standing committee, if as many as five members object to its consideration at that time. The vote of a majority of the elected members shall be required for the adoption of any such resolution.

Sec. 6. Effect of Committee Report to Indefinitely Postpone. If the standing committee report on a resolution be to postpone indefinitely, the resolution shall stand indefinitely postponed; Provided, that such resolution may be considered by the members of the Legislature or referred back to the standing committee by a majority vote of all the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of all elected members upon motion made more than three legislative days after such committee report. Not more than one resolution shall be raised

from committee on any one motion. A motion to raise cannot be amended to include any other resolution or subject matter.

RULE 16 Privileges of the Floor

The floor of the Legislative Chamber shall consist of that part of the Legislative Chamber forward from the row of desks or dividing line back of the last row of Senators including the space under the balcony on either side adjacent thereto, or any other space designated by the Legislature or the Executive Board thereof.

No person shall be admitted to the floor of the Legislature, as described in this rule, except the following:

Members of the Legislature and their immediate families, officers and employees, including the bill drafter and employees of the Legislative Council.

Reporters of regularly accredited newspapers and broadcasting stations.

No one shall be permitted to be seated beside members of the Legislature except members of their immediate families upon permission from the chair. When bills are being read on Final Reading, no one shall be permitted to be seated beside members of the Legislature.

No person, other than those hereinbefore excepted, shall be admitted to the members' cloak room or post office, unless accompanied by a member.

The Governor, state officers and distinguished visitors may be admitted to the floor upon permission from the chair.

No printed or written material of any nature may be placed on the desks of the members or distributed to them in the Legislative Chamber, unless such material clearly indicates on its face the party or parties responsible for its distribution. The distribution must be approved by at least one member of the Legislature.

RULE 17

Suspension and Amendment of Rules

These rules may only be suspended by a two-thirds majority of the elected members by a machine vote, and may be amended by a three-fifths majority vote of the members elected; Provided, any proposed amendment must first be referred to the Committee on Rules for consideration and report.

The Covers

The cover illustrations are photographs of the doors of the Senate chambers in Nebraska's tower Capitol. The front cover is of the West Senate Chamber doors. These doors lead to the chamber used by the Unicameral Legislature.

The back cover is of the Indian doors to the East Senate Chamber, where the Senate met under the old bicameral system. This room has become a hearing room.

The color photographs were made by James Dean, a student teaching assistant in the University of Nebraska School of Journalism.

