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Unicameral or Bicameral State Legislatures: The Policy Debate

Political scientists and students of legislatures have long debated the relative merits of bicameral and unicameral state legislatures. (Nebraska is the only single-house state legislature in the country; the others are bicameral.) This publication attempts to summarize the arguments commonly advanced on both sides of this debate. The arguments are arranged in categories as follows.

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Representation and Responsiveness

Which legislative system provides better, more responsive representation? For whom?

Unicameralists say that two houses no longer serve a representational purpose in state legislatures, because the members of both houses are elected by and serve the same constituencies. Bicameralists say that a larger, two-house legislature is more complexly representative of the multiplicity of interests in diverse societies. Both sides assert that their favored structure is more responsive to the people and less susceptible to control by powerful minorities.

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Dual representation. Bicameral state legislatures are no longer necessary for representational purposes, because the courts now require that the members of both houses be elected from equal population districts. In earlier times, bicameral state legislatures may have served a representational purpose: during the period of the American revolution, in some states the two houses represented somewhat different socio-economic groups; 50 years ago, members of the two houses of state legislatures represented somewhat different political communities (e.g., counties, cities, city wards). The two houses of Congress continue to represent different constituencies (state districts and population districts). But in state legislatures today, the members elected to the two houses are essentially duplicate representatives of the same population districts. Therefore, bicameral state legislatures can no longer be justified on representational grounds.

Responsiveness to the majority. The unicameral system favors rule by the majority. Because the unicameral legislative structure and process are simple, straightforward, and open, a unicameral legislature is more likely to represent and respond to the preferences of the unorganized mass public.

Responsiveness to diverse and minority interests. What counts in responding to diverse and minority interests is not the number of legislative bodies, but a good electoral system and the use of methodical, time-consuming legislative practices to ensure that all interests are heard and all viewpoints carefully considered. Because its decision-making process is relatively simple and efficient, a unicameral legislature has the time to provide a fuller and fairer hearing to all

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Dual representation. A citizen in Nebraska has one representative in the state legislature; a citizen in Minnesota has two. Dual representation increases the probability that legislators and constituents will have direct contact and that citizens or communities petitioning for legislative action will get a hearing from a sympathetic representative or one with helpful connections. Further, members of the two houses provide important and useful variations in representation, even though all are elected from population districts. House members represent smaller, more cohesive constituencies, while senators represent larger, more diverse districts. Also, the senator and the representatives from a legislative district are not like peas in a pod: they serve different terms of office, sit on different committees, are differently situated, employed, and connected within the district, and may belong to different political parties.

Responsiveness to the majority. The founders adopted the bicameral structure deliberately to frustrate simple majority rule. Double representation in a bicameral legislature fosters the balanced representation of rival interests, a more just and inclusive goal than mere majority rule.

Responsiveness to diverse and minority interests. The bicameral structure is more complexly responsive to the multiplicity of public interests in diverse societies. Two legislative bodies—with different membership, terms of office, perspectives, leadership, and customs—bring a valuable diversity of outlook to legislative decisions. The members and committees of one house often afford a fuller or fairer hearing of a particular bill, issue, or point of view than the other house. As a result, the bicameral

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<p>interests and points of view. Extended consideration of an issue by legislators in one house is more likely to deepen understanding than hasty consideration by duplicate legislators in two houses.</p> <p>Responsiveness to powerful interests. The transparency of the unicameral system reduces the influence of professional representatives of powerful interests and enhances the influence of less organized and moneyed citizen groups. The bicameral system, with its complex procedures and numerous, often hidden points of access, favors those who have the time and knowledge to play “inside ball.” In particular, the concentration of decision-making authority in conference committees enables the paid lobbyist to influence legislative activity unobtrusively and, by swaying only a few members, to impede or advance legislation without respect to the will of the majority.</p>	<p>legislative process is more likely to give voice and effect to disparate points of view and protect the rights and interests of various minorities.</p> <p>Responsiveness to powerful interests. When power is divided and diffused, as it is in a bicameral system, the professional representatives of powerful interests must win the support of a larger number of leaders, committee chairs, and members. The dispersion of authority through two houses makes it more difficult for the paid lobbyist to affect legislative activity by influencing just a few members. In a unicameral system, on the other hand, with just one house and fewer key legislators, managing outcomes is easier. Nebraska bears this out, being known among political scientists as (in the words of one) “almost heaven” for special interest lobbyists.</p>

Stability of the Law

Is a bicameral legislature inherently more stable, more restrained in its actions, and therefore more likely to preserve a desirable steadiness and reliability in the law?

Bicameralists say that a two-house legislature better balances the competing values of responsiveness to the people and stability in the law, and that a unicameral legislature would be more mutable in its membership, inconstant in its actions, and apt to be unwisely swayed by fleeting waves and large tides of popular sentiment. Unicameralists say that the modern practice of electing the members of both houses of state legislatures from the general populace in the same population districts has vitiated the supposed moderating effect of the bicameral structure, and that a properly organized unicameral legislature would not be more volatile or erratic than a bicameral one.

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<p>Legislative stability and restraint. The founders’ theory of bicameral stability—in which the momentary passions of popular majorities expressed in the House would be restrained by wiser, more conservative representatives of wealth and property in the Senate—is a relic of history. For a long time now, the members of both houses of state legislatures have been chosen by and from the citizenry at large within the same voting</p>	<p>Legislative stability and restraint. The founders valued stability in the law and, therefore, restraint and continuity in lawmaking. They believed that a legislature composed of two independent bodies of lawmakers is inherently more stable in membership and temperate in thought and action than a one-house legislature. This conviction did not depend on the idea of an aristocratic Senate: it was held by the founders throughout the revolutionary and</p>

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<p>districts, without destabilizing the legislature. There is little reason to suppose that a unicameral legislature, so chosen, is more volatile or erratic than a bicameral one.</p> <p>Balancing responsiveness and stability. Nebraska’s legislature illustrates how a unicameral legislature can balance the virtues of responsiveness to the people and stability in the law. Legislators in Nebraska serve four-year, overlapping terms of office. Therefore, during each biennial legislative session, half of the members of the Nebraska legislature know that they will face the voters at the next election, while the other half, whose terms continue, tend to bring a longer view to the same decisions. With the terms of its members overlapped in this way, Nebraska’s unicameral legislature can be responsive to the concerns of the citizenry at each election without excessive mutability either of membership or policy.</p>	<p>early national period, even as both houses of state legislatures were coming to represent the same constituencies. It is still valid.</p> <p>Balancing responsiveness and stability. In Minnesota’s bicameral system, members of the House, all accountable to the people in small districts statewide every two years, tend to respond quickly to changing popular sentiment, while senators, who serve a four-year term of office and larger districts, tend to bring a longer and wider view to the same decisions. This natural balance of responsiveness and restraint is not possible in a unicameral legislature, because overlapping four-year terms (as in Nebraska) disenfranchises half the state at every election, while universal two-year terms destabilizes the legislature, making it more vulnerable to control by a succession of transient majorities.</p>

Accountability of Legislators

Which legislative system better enables voters to hold their elected representatives to account for legislative actions? Unicameralists say that a unicameral legislature would be more accountable to the electorate, because the simplicity and transparency of the unicameral legislative process permits voters to better fix the responsibility of individual legislators for legislative actions. Bicameralists say that the bicameral legislative process is actually more open to public view and public accountability, and that a unicameral legislature would not necessarily remedy, and might actually worsen, the real accountability problem—allowing a few legislators to impose legislative decisions on the general membership.

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<p>Accountability and procedural simplicity. Legislators in a unicameral system are more accountable to the electorate, because the simplicity and directness of the unicameral legislative process encourages citizens to pay attention to legislative activity and permits them to better follow and understand the actions of their representatives. Knowing that they are under more and better scrutiny back home, unicameral legislators naturally feel more accountable and alert to constituent concerns and interests. In a bicameral legislature, on the other hand, accountability is weak, because the</p>	<p>Accountability and procedural simplicity. Observation does not support the unicameralist’s belief that procedural simplicity enhances the accountability of elected officials by fostering citizen vigilance and comprehension. The citizenry of Nebraska is not noticeably more mindful or informed of legislative activity than the citizenry of bicameral states like Minnesota; and Nebraska legislators are not known to be more alert to constituent interests than Minnesota legislators. Accountability would benefit more from continuing efforts to clarify and streamline the bicameral</p>

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complexity of the legislative process discourages and confuses citizens attempting to follow the activities of their representatives so as to hold them to account for their part in legislative decisions.

Accountability and procedural openness. A unicameral legislature is more accountable to the electorate than a bicameral legislature, because the unicameral legislative process is more open to public view. In a unicameral legislature, decisions are made in public settings—either in standing committees or on the floor—where legislators speak and vote in full view of the media and the public. In the bicameral legislative process, in contrast, the fulcrum of legislative decision-making shifts from the standing committees and the floor to negotiations between the two houses—where a few leaders and the members of a few conference committees from each house make the most important legislative decisions in relative privacy and obscurity. Because its pivotal decision-making processes—inter-house negotiations—are so removed from public view and resistant to public comprehension, a bicameral legislature is necessarily less accountable to the voters than a unicameral legislature.

Accountability and the second house. The bicameral structure undermines the accountability of individual legislators by clouding their responsibility for decisions. Legislators in one house can blame decisions on the other house. They can vote for a measure they oppose, or against one they favor, knowing that the other house will reject the result. They are impelled to design legislation not on the merits but rather as ploys to improve their bargaining position with the other house. Members of a unicameral legislature cannot disguise, yield, or distort their decision-making responsibility in these ways. As a result, citizens are able to fix responsibility for decisions and hold legislators to account for their actions.

Accountability and conference committees. The bicameral system undermines the accountability of rank-and-file legislators by shifting decision-making authority from the general membership to conference committees. Because the general membership cannot amend the reports of conference committees (nor usually, because

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process (e.g., earlier deadlines, longer lie-over periods for major bills, less reliance on conference committees) than from imposing a new and unfamiliar system of government.

Accountability and procedural openness. A bicameral legislature is more accountable to the electorate than a unicameral legislature, because the bicameral legislative process is more open to public view. Conference committees nowadays operate mostly in public: much like standing committees, they engage in public debate, take public testimony on disputed issues, make decisions in public, and conduct some negotiations in private. Conference committees actually serve to open up the legislative process, because they provide a forum for public debate and testimony on contentious issues after initial floor action on bills, and because they focus public attention on the final negotiations on these issues among key legislators, executive officials, and interest groups. Without conference committees, the public will have no opportunity to be heard on crucial floor amendments, and final negotiations on contentious issues will shift from a relatively open setting to private meetings prior to floor action on bills.

Accountability and the second house. To diffuse governmental authority—which is a central purpose of legislatures in democratic societies—is to diffuse responsibility. When a group of people make decisions on complex matters using parliamentary procedures, the responsibility of each member of the group will always be ambiguous. For this reason, the absence of a second house, though it may change tactics, will not end strategy: unicameral legislators will continue to jockey to improve bargaining position and to yield or divert responsibility for outcomes to others—other members, committees, committee chairs, political party caucuses, legislative leaders, and the governor.

Accountability and conference committees. The culprit in this unicameralist complaint is not conference committees so much as the practice of concentrating important decisions in a few bills brought from committee to floor in the closing days and hours of the legislative session—a practice that could just as well afflict a

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<p>of time constraints, even reject them), the decisions of conference committees are effectively final. Consequently, rank-and-file legislators who do not serve on important conference committees are able to disclaim responsibility for legislative decisions by blaming them on conference committees. In a unicameral legislature, members cannot hide behind conference committee decisions. Each member is fully responsible for voting on bills on the floor and can be held to account for those actions by the voters.</p>	<p>unicameral legislature, with more pernicious results. The accountability of individual legislators can be enhanced, if need be, within the bicameral structure, simply by reducing the authority of conference committees (e.g., by using joint committees more and conference committees less; changing legislative rules on conference committee appointments, authority, and procedures; and imposing deadlines and lie-over requirements on conference committee reports).</p>

Authority of the Legislature

Which legislative system gives greater authority and effect to the decisions of the legislature and individual legislators? Could the legislature be too authoritative?

Unicameralists say that eliminating friction, rivalry, and contention between the two houses would give the legislature and individual legislators greater prestige, independence, and authority and permit more decisive and effective legislative action. Bicameralists say that a larger, two-house legislature inherently possesses more capacity and expertise, and therefore greater independence and authority, and that a unicameral legislature would unwisely concentrate the state's governmental power.

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<p>Legislative authority. The bicameral system divides legislative authority between two houses with competing sets of members, committees, and leaders. Partitioning the legislature in this way diminishes its authority and effectiveness in dealing with the executive branch of state government and with the federal government. The unicameral structure, by concentrating legislative power in the members and leaders of one house, enhances the prestige, independence, and authority of the legislature. A strong legislature is able to deal more effectively with the governor and the executive branch and to represent the interests of the state more forcefully on the national level.</p>	<p>Legislative authority. Because a bicameral legislature has more legislators, committees, and leaders, it possesses inherently more capacity and expertise, and therefore greater authority and independence in relations with the governor and other agencies of government. A unicameral legislature is weaker, because it has fewer legislators and committees available to acquire and apply specialized knowledge, oversee the executive, and serve the same number of citizens. Nebraska's legislature is not a uniquely prestigious or influential force in state government, compared with bicameral state legislatures; and some evidence (e.g., pay, authority, turnover) suggests the contrary.</p>

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Member authority. Individual legislators in a unicameral system can act more decisively and with more certain effect, because their authority is not shared with the members of another house. A bicameral legislature, in contrast, does not repay industrious, diligent legislators: the members of one house often devote considerable time and attention to an issue, only to have their efforts brushed aside, frustrated, or overlooked by the other house.

Legislative effectiveness and gridlock. Decisive, timely, and effective action cannot be expected from any institution with two governing bodies. The bicameral system hamstringing legislative decision-making and hinders public business of consequence. Jealousy, friction, and rivalry between the members and leaders of the two houses make lawmaking difficult, sometimes even impossible.

Concentration of governmental power. The unicameral system corrects the modern concentration of power in the executive and judicial branches of government. The founders lived in an age of burgeoning legislative power; hence they feared a strong legislature and sought to inhibit its ability to act. But we live in an age of executive, bureaucratic, and judicial dominance, when the problem with legislatures is infirmity, not prowess. By concentrating and increasing the authority of the legislature, the unicameral structure restores the proper balance of power among the three branches of state government.

External constraints on the legislature's power. Although the authority of legislators in a unicameral system is not limited by a second house, members are nonetheless constrained by powerful countervailing external forces: they are more accountable to the electorate; and the executive veto and judicial review remain as constitutional protections against legislative excess.

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Member authority. Bicameral legislatures do not lack for capable and effective legislators. If individual legislators in a unicameral system have more authority and less annoyance, it is only because they can act alone, without the impediment of having to convince their counterparts in another house. That is one of the purposes and effects of the bicameral system: to limit and restrain the power of legislators.

Legislative effectiveness and gridlock. Government should be limited and making laws should be difficult. A divided, rivalrous government inhibits the concentration and misuse of governmental power. Also, contention between the two houses may reflect the views of the people. If gridlock is the issue, it would be better addressed by a nonpartisan or parliamentary system than by a unicameral one.

Concentration of governmental power. The unicameral system unwisely concentrates in one house the solemn power to make law and conduct other public business (e.g., spend money, impeach and try public officials). The founders—knowing the long history of impulsive and tyrannical legislatures—considered this to be the most dangerous branch of government, the greatest threat to the liberties of the people. They sought to curb the lawmaking power, not only by dividing it with the executive but by partitioning the legislature internally. The unicameral system removes one leg of the balanced, three-legged stool of lawmaking in the bicameral tradition.

External constraints on the legislature's power. The electorate, the executive veto, and judicial review are blunt and untrustworthy instruments of control, external to the legislative process. They are no substitute for the safeguard of restraining the legislature's power by dividing the legislature itself.

Concentration of Power within the Legislature

Does either legislative system bring about an undesirable concentration of power inside the legislature? Bicameralists say that a single-house legislature would concentrate the lawmaking power in the hands of fewer legislators and eliminate essential constitutional restraints on the concentration of power within the legislature. Unicameralists say that the bicameral structure concentrates power in the handful of members who serve on important conference committees and the leaders who appoint them, and that unicameral legislatures elsewhere do not over-concentrate power within the legislature.

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Concentration of legislative power. The bicameral system concentrates decision-making power in the hands of a few members—those who serve on important conference committees and the leaders who appoint them. Because the legislature as a whole cannot amend the reports of conference committees (nor usually, because of time constraints, even reject them), the bicameral system permits a few well-placed legislators to impose their views on the membership of both houses.

Internal constraints on power. The members of the legislature choose their leaders, and they also adopt the rules of procedure that allocate power to those leaders. Therefore, the members of a unicameral legislature can readily compensate for the absence of countervailing powers in a second house by choosing leaders carefully and by adopting rules of procedure that limit the authority and influence of leaders and committee chairs.

Experience elsewhere. The unicameral system does not over-concentrate the legislative power in Nebraska or in democratic nations that have single-house legislatures.¹ In Nebraska's unicameral legislature, on the contrary, power is more dispersed than in the typical bicameral legislature. Leadership authority in the Nebraska legislature is divided among several legislators and committees, and the general membership elects not only the leaders but the chairs of committees as well.

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Concentration of legislative power. The unicameral system concentrates decision-making power in one house—where bill authors, committee chairs, and leaders possess singular power, unchecked by co-equals in another house. In a unicameral legislature—perhaps especially in a large one—power and policy can fall more easily under the unrestrained hand of a single strong leader, committee chair, caucus, or group of legislators.

Internal constraints on power. The bicameral system disperses power among legislators constitutionally, rather than relying on legislators themselves to limit the authority of their leaders. As for conference committees, a bicameral legislature can reduce their sway, if it wishes, by changing the legislative rules and practices governing conference committee appointments, procedures, scope of authority, and deadlines.

Experience elsewhere. The dispersion of power in Nebraska's unicameral legislature is the result of unique conditions there—the small number of legislators (49), entrenched decentralist legislative customs and traditions, and the absence of political party caucuses and caucus leaders. These conditions do not apply in more populous states with larger, partisan legislatures accustomed to operating with strong political caucuses and caucus leaders. As for the unicameral systems in other nations,

¹ The following western democracies have national unicameral legislatures: Finland, Israel, Luxembourg, Denmark, Sweden, and New Zealand. The latter three have converted from bicameral to unicameral structures since World War II. Other jurisdictions, like Iceland and Norway, have legislatures that are elected on a unicameral basis but divide into two houses after election for purposes of processing legislation. Others, like Canada and Britain, have bicameral national legislatures, but practical legislative power is heavily concentrated in one house. Canada's provinces all have unicameral legislatures.

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<p>As a consequence, rank-and-file legislators have more real authority in Nebraska than they do in most bicameral legislatures, where power in each house is concentrated in one or two leaders and the members of a few conference committees.</p>	<p>they are parliamentary systems, where power is supposed to be concentrated in fewer hands—the ministers of government.</p>

Quality of Decision-Making

Which legislative system makes for a better legislative process and better legislative decisions? Bicameralists say that the bicameral legislative process promotes quality results by slowing decision-making, by creating more opportunities for second thought before final action, and by requiring that all actions have the approval of two independent groups of lawmakers. Unicameralists say that the bicameral structure actually shortcuts deliberation and engenders carelessness and error in lawmaking, whereas the simplicity of the unicameral legislative process fosters slower, more deliberate, careful decision-making. Both sides assert that their favored structure makes for greater citizen participation and therefore provides lawmakers with better information on which to base decisions.

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<p>Deliberative process. In a unicameral legislature, committees and members are able to proceed slowly and carefully, because they are relieved of the need to move legislation through a cumbersome legislative process involving two houses. By virtue of the directness and simplicity of its process, a unicameral legislature has the time to give the ideas of legislators and citizens a more thorough airing and a more exacting consideration than is possible in the accelerated, duplicate proceedings of a bicameral legislature.</p> <p>Bicameral legislatures, in contrast, are notorious for scurry. To get bills through time-wasting, duplicate proceedings in two houses and conference committees, the bicameral legislature is forced to take shortcuts and use fast-track procedures that condense committee and floor debate and eliminate opportunities for deliberation and reflection.</p>	<p>Deliberative process. The bicameral legislative process illustrates the virtues of redundancy in critical decision-making systems. Bicameralism fosters quality results by requiring more hearings before more people, by slowing decision-making, and by creating multiple opportunities for debate, reflection, and sober second thought. Also, even in a populous state, one of the houses of a bicameral legislature can be quite small, which is conducive to deliberation and resistant to hierarchy.</p> <p>Both houses of Minnesota’s bicameral legislature debate issues at great length. If necessary, time for debate and reflection could be increased, without radical institutional surgery, by changing bicameral procedures (e.g., earlier deadlines, longer lie-over periods for major legislation, more reliance on joint committees and less on conference committees).</p>

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Despite the fast-track procedures used by bicameral legislatures, most bills still bog down in inter-house wrangling. As a result, decisions are not made until the very end of the session, when the most complex and important measures are shuttled rapidly from house to house with little time for comprehension or careful consideration.

Quality assurance and the second house. Experience does not support the bicameralist assertion that one house checks and corrects the actions of the other house. On the contrary, the presence of a second house encourages and enables legislative carelessness—as when one house hastily accepts the actions of the other house on faith, without independent evaluation, or passes ill-conceived legislation, relying on the other house to correct or reject it.

A single-house legislature, in contrast, knowing that its decisions are final, acts only with great care and diligence. Nebraska’s unicameral legislature is known for its methodical, repeated consideration and inspection of every bill before final passage.

Quality assurance and the conference committee. The conference committee system breeds legislative error. The two houses tend to take less care on bills initially, trusting to conference committees to fix mistakes. Conference committees themselves are prone to error—consisting, as they do, of a few interested members making decisions on complex matters under enormous time pressure in relative obscurity. And finally, the blunders made by conference committees are imposed on the rest of the legislature, which cannot amend conference committee reports (nor usually, because of time constraints, even reject them). By eliminating conference committees, the unicameral structure enhances the probability of quality legislation.

Citizen participation. The unicameral legislative process encourages broad public participation in legislative decisions and provides members with more information to use in making decisions, because it allows citizens and organizations to channel their energies more effectively on the activities of one house.

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The end-of-session crush of legislation is caused not by the bicameral structure so much as by the practice of concentrating most decisions in a few bills brought out for passage late in the session—a practice that could just as well afflict a unicameral legislature, at even greater cost to the deliberative process.

Quality assurance and the second house. In a bicameral system, every proposed law must be approved by separate groups of lawmakers with different perspectives and insights. This reciprocal oversight fosters a quality product, because two groups of decision-makers do not come readily into each other’s opinions without good reason. The system is imperfect, of course, but experience shows that the second house often detects and corrects mistakes and improves the work of the initiating house.

Repeated consideration of a bill or issue by the same group of people in a unicameral legislature cannot replace the discipline created by requiring one group to gain the approval of another group before imposing a law on the citizenry.

Quality assurance and the conference committee. Conference committees often improve legislation after its initial passage by forcing key legislators to listen to their critics, re-examine their positions, and consider compromise with other views before final action. In effect, a conference committee is a concluding debate on the pivotal issues in a bill among the legislators with the greatest expertise and involvement in it. Conference committees also regularly repair mistakes made during the hurly-burly of Minnesota’s traditional process of open floor debate and amendment. Without conference committees, a unicameral legislature might find it necessary to limit the scope and complexity of amendments permitted on the floor.

Citizen participation. The bicameral legislative process encourages broad public participation in legislative decisions and provides members with more information to use in making decisions, because it offers more forums where interested citizens and organizations can participate. When bills must go through committee

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<p>Participating in the bicameral legislative process, on the other hand, is a burden for everyone; ordinary citizens in particular are put off by the time required to attend duplicate proceedings in two houses, often followed by conference committee meetings.</p> <p>External quality controls. In our system of shared lawmaking authority, quality control does not rest with the legislature alone. The executive veto and judicial review are adequate protection against serious legislative error.</p>	<p>hearings and floor debates in two houses, often followed by conference committee proceedings and additional floor debates, public sentiment has more time to develop, and ordinary citizens have more opportunity to become informed, organize, and communicate their views.</p> <p>External quality controls. The executive veto and judicial review are blunt and untrustworthy instruments of quality control, external to the legislative process. They are no substitute for a legislative structure that fosters self-criticism and the detection of error.</p>

Efficiency and Economy

Would a unicameral legislature be more efficient and less costly in conducting its work?

How important is this, in relation to other considerations? Unicameralists say that a unicameral legislature would be more efficient in conducting its business and less costly to operate. Bicameralists say that a unicameral legislature would not necessarily save much time or money and that the benefits of two houses are worth some additional cost.

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<p>Procedural efficiency. Owing to the simplicity and directness of its process, a unicameral legislature is able to act on legislation more efficiently. A successful bill takes a straightforward path from committee to the floor to the governor. In a bicameral legislature, a successful bill must go through duplicate committee hearings and floor debates in the two houses, then often through a conference committee, and again through two more floor debates. This cumbersome, redundant procedure is inherently wasteful and inefficient; it confers no benefit commensurate with the time and energy it consumes.</p> <p>Cost of the legislature. A unicameral legislature is smaller and less costly to operate. There are fewer legislators and employees to pay and no duplication of bills, committees, and meetings. A unicameral legislature about the size of the current Minnesota House (134 members) would save the state roughly \$20 million a year (the current annual cost of the Senate), perhaps more.</p>	<p>Procedural efficiency. A two-house legislature saves time by dividing the work of studying legislation; if one house rejects a bill, the other house need not consider it. Nebraska’s unicameral legislature is not notably efficient in processing legislation; in fact, legislative sessions in Minnesota are shorter than they are in Nebraska, where repetitive floor debates on bills compensate for the absence of the safeguards provided by a second house and conference committees. Anyway, how desirable is efficiency in lawmaking, in comparison with values like participation and representation?</p> <p>Cost of the legislature. The cost of the legislature is just a tiny part of the cost of state government. Although an annual saving of \$20 million (if realized) is not trivial, it would reduce the state’s total budget by less than two-tenths of one percent, a saving that must be weighed against the loss of the benefits of bicameralism.</p>

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<p>The bicameral legislature will not make the radical changes from within that are required to reduce its costs by this much.</p> <p>Nebraska's first unicameral legislature in 1937 reduced the cost of legislative operations by about one-half. Today, the operating cost of the Nebraska legislature is about one-third that of the Minnesota legislature. The unicameral system in Nebraska allows that state to hold down the cost of legislative operations without compromising the capability of the legislature or the resources available to individual legislators: thus, despite its relatively low total operating cost, Nebraska's unicameral legislature still spends more money and provides more staff per legislator than does Minnesota's bicameral legislature.</p>	<p>Changes in the bicameral system, like joint staff offices and joint committees, could reduce the cost of the bicameral system without giving up its benefits.</p> <p>The low cost of the Nebraska legislature is a consequence of many factors besides unicameralism—the small number of members (49), poor compensation, the absence of partisan political caucuses, etc. By some accountings, the unicameral system could actually increase costs: on a per capita basis, Nebraska's unicameral legislature spends more on itself than the bicameral legislatures of neighboring states; and as compared to Minnesota, Nebraska spends more per legislator and only 20 percent less per capita. Thus, a large, partisan unicameral legislature in a state with energetic governmental traditions might not be a bargain.</p>

Custom and Precedent

Is a unicameral legislature a radical departure from the fundamental institutions and traditions of American government? Bicameralists say that the unicameral legislative structure is a radical departure from 200 years of American governmental experience, practice, and tradition. Unicameralists say that unicameral legislatures are an established and proven form of state, local, and private governance in the United States and other democratic nations.

UNICAMERALIST	BICAMERALIST
<p>United States. The unicameral system is not a radical experiment in government. Two colonies had unicameral legislatures (Delaware and Pennsylvania), as did three states in the revolutionary and early national period (Georgia, Pennsylvania, and Vermont). The Continental Congress was a unicameral body. The state of Nebraska has been satisfied with its unicameral legislature for more than 60 years.</p> <p>Local government. Local governments in the United States all have unicameral governing bodies. This was not always so: bicameral governing boards at the local level were once common in this country. Who now would argue that each city, county, and town should have two governing bodies?</p>	<p>United States. Unicameralism is a radical departure from 200 years of American political and governmental practice. Except in Nebraska's small, nonpartisan legislature, the system is untested in modern state government. The experience in Nebraska has little predictive value about the character and effects of unicameralism in more populous states with larger, partisan legislatures and different governmental customs and traditions.</p> <p>Local government. Local legislative functions are, in fact, usually divided among several elected boards (school, park, city/town, county, watershed, etc.). Anyway, the local government analogy is not persuasive, because local governments are not sovereign but rather creatures of the state.</p>

UNICAMERALIST	BICAMERALIST
<p>Other democracies. Unicameral legislatures exist in other nations that share many of our political traditions. Indeed, several western democratic nations have converted from bicameral to unicameral systems in recent decades.²</p> <p>Private organizations. No business or nonprofit corporation would put up with two boards of directors.</p>	<p>Other democracies. The experience with unicameralism in other nations is not pertinent. They are parliamentary systems with very different government structures, legislative-executive relations, and political and legislative traditions.</p> <p>Private organizations. Private corporations do not make laws.</p>

For more information about the nation’s only unicameral legislature, see the House Research information brief, “Nebraska’s Unicameral Legislature.” Also, the information brief, “The Minnesota Legislature: Proposals to Change its Size and Structure,” summarizes bills introduced in the 1999 Minnesota legislative session that bear on this issue.

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Many House Research Department publications may also be accessed via the Internet at: www.house.leg.state.mn.us/hrd/hrd.htm.

² The following western democracies have national unicameral legislatures: Finland, Israel, Luxembourg, Denmark, Sweden, and New Zealand. The latter three have converted from bicameral to unicameral structures since World War II. Other jurisdictions, like Iceland and Norway, have legislatures that are elected on a unicameral basis but divide into two houses after election for purposes of processing legislation. Others, like Canada and Britain, have bicameral national legislatures, but practical legislative power is heavily concentrated in one house. Canada’s provinces all have unicameral legislatures.