

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT (CORRECTED)
LB580

Hearing Date: Friday February 27, 2015
Committee On: Executive Board
Introducer: Murante
One Liner: Adopt the Redistricting Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 9 Senators Campbell, Chambers, Coash, Hadley, Hughes, Krist, Larson, Murante, Watermeier

Nay:

Absent:

Present Not Voting:

Verbal Testimony:

Proponents:

Senator John Murante
Gavin Geis
John K Hansen

Representing:

Introducer
Common Cause Nebraska
Nebraska Farmers Union

Opponents:

John Else

Representing:

Self

Neutral:

Representing:

Summary of purpose and/or changes:

Section 1.

Creates the Redistricting Act.

Section 2.

Intent section.

Sections 3 to 17.

Definitions.

Section 18.

Provides several duties for the Director of Research to perform in order to assist the Independent Redistricting Citizen's Advisory Commission, including:

Acting as a liaison between the commission and the Legislature;

Obtaining required census data from the U.S. Census Bureau in order to use the census data to assign an ideal district population;

Delivering to the commission the six bills embodying the redistricting plans and then make available to the public: (a) copies of the six bills approved by the commission; (b) copies of the maps approved by the commission; (c) copies of the ideal district population and total population of each district included in the bills and the relative deviation of the population from the target population; and (d) copies of the county apportionment formula and the number of districts entirely contained within each county.

Section 19.

Calls for the creation of an Independent Redistricting Citizen's Advisory Commission. Each of the three legislative caucuses shall certify to the Secretary of State and the Speaker of the Legislature the appointment of three persons, with no more than two who have the same political party affiliation, to serve on the commission.

Section 20.

Creates the Redistricting Fund to be used to support the commission.

Section 21.

The commission ceases to exist following final legislative approval and the Governor's signature, or judicial approval, if applicable, of the redistricting plans. The director shall submit a report and financial statement when the commission's work is done.

Section 22.

Sets forth the eligibility requirements for members of the commission.

Section 23.

Provides that no member of the commission may be a candidate for elective office while a member of the commission.

Section 24.

Prior to legislative approval, each member of the Independent Redistricting Citizen's Advisory Commission must file a statement of financial interests and conflict of interest statement with the Accountability & Disclosure Commission.

After the Legislature has approved the members of the commission, the members shall select from among themselves a chairperson and a vice-chairperson of different political parties.

Provides for removal and filling vacancies of commission members.

Section 25.

The commission shall adopt substantive and procedural guidelines and present them to the legislature and to the public.

Specific guidelines are identified in this section in order of importance.

Maps shall be adopted by the commission no later than March 1 of the year ending in one and deliver the bills to the Executive Board no later than March 10 of the year ending in one.

Upon delivery to the Board, the commission shall, no later than April 1, hold at least four public hearings in different geographic regions of the state.

Following the hearings, the commission shall review the redistricting plans and make whatever changes are necessary to ensure the plans are consistent with the Redistricting Act and shall preparing a report to the Executive Board summarizing information and testimony received at the hearings.

Section 26.

In preparing the redistricting plans, neither the director nor the commission shall consider political party affiliation of registered voters or previous election results.

Boundary lines shall not be drawn to favor any one individual, group, political party, or incumbent and neither the director nor the commission shall have access to political party affiliations of registered voters, or previous elections results.

The director and commission shall not draw any district boundary that dilutes, fractures, or packs any voting majority or minority based on race or language.

Section 27.

Sets forth the specific criteria to be considered when the Legislature reviews and approves boundaries for the United States House of Representatives, the Legislature, Supreme Court, Board of Regents, Public Service Commission, and State Board of Education.

Section 28.

No later than April 1 of each year ending in one, the director shall deliver to the Clerk of the Legislature the six commission-approved legislative bills embodying a plan of redistricting and corresponding public hearing reports.

The Legislature shall bring each bill to a vote not less than three days after the bills and the report of the commission are received and made available to the members of the Legislature.

If the bills fail to be approved by the 80th legislative day, there shall be an immediate vote taken for the advancement or passage of the bills.

Section 29 and 30.

Adds the reporting of financial interests and conflict of interest statements to current Accountability & Disclosure sections of law.

Section 31.

Severability clause.

Section 32.

Repeals original sections.

Explanation of amendments:

The committee amendment strikes the original sections, although it includes many of the same procedures and requirements as in the original bill. Changes to the original bill include:

No later than 30-days after the director of Legislative Research receives the census data, the director shall deliver to the Clerk of the Legislature final maps illustrating each of the six redistricting plans adopted by the Independent Redistricting Citizen's Advisory Commission, corresponding public hearing reports, a summary of differences between any of the redistricting plans adopted by the commission and the corresponding base maps developed by the director, and formal opinions from the Secretary of State and the Attorney General.

Not less than two days after the director delivers the final maps, the chairperson of the Executive Board shall introduce a legislative bill for each redistricting plan adopted by the commission. The bills shall be placed directly on general file. If any of the bills fail to be passed or are vetoed by the Governor, the Speaker shall request that a new redistricting plan be prepared and the process begins again, as set forth in the bill.

Each of the three legislative caucuses selects the members of the commission, with no more than five members of the commission affiliated with the same political party. The amendment sets out a process for selection of the commission members by the legislative caucuses.

A specific Redistricting Fund is created.

To serve on the commission a member may not have changed political party affiliation within the previous 24 months (instead of 12 months). Furthermore, a person who is a relative of or employed by a member of Congress or the Legislature, a constitutional officer, or an employee of the University of Nebraska may not serve as a member of the commission.

In establishing each of the districts, except for the United States House of Representatives, the number of districts entirely contained within a county shall be determined using the county apportionment formula.

Bob Krist, Chairperson