

ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020
COMMITTEE STATEMENT
LB1157

Hearing Date: Wednesday February 12, 2020
Committee On: Executive Board
Introducer: Vargas
One Liner: Provide for counting Nebraska residents in Nebraska prisons for redistricting purposes

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Bolz, Chambers, Hughes, Kolterman, McCollister, Scheer, Vargas
Nay:		
Absent:	1	Senator Lowe
Present Not Voting:	1	Senator Hilgers

Oral Testimony:

Proponents:

Tony Vargas
Westin Miller
Jasmine Harris
Rose Godinez
Y'shall Davis
Schuyler Geery-Zinle
Gavin Geis
Tyrone Amos
Michelle Devitt

Representing:

Self
Civic Nebraska
RISE
ACLU
Self
Nebraska Appleseed
Common Cause Nebraska
Self
Heartland Workers Center

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB1207 (2020)
Adopt the Redistricting Act
(Senator McCollister)
Date of Hearing: February 12, 2020

The stated purpose of this Redistricting Act is to establish the procedures to divide the state into districts by designating boundary lines based on population.

The bill references the Redistricting Committee of the Legislature, but does not create the committee itself. The bill does provide that the chair and vice-chair must be selected by 2/3 of the members of the committee.

The maps would be required to be drawn using politically neutral criteria:

Equality of population, plus or minus a deviation of 1% or less;

Resulting in contiguous districts;

Without consideration of political affiliation;
Without consideration of previous voting data, or election results;
Using only data and demographic information from the Census Bureau; and
With deference to county and municipal boundary lines.

The bill also establishes certain procedures:

The bill incorporating the initial version of the maps could not be placed on General File until fourteen calendar days after the last public hearing;

The committee would distribute the federal decennial census data and make the maps public.

The committee would then hold at least one public hearing in each congressional district;

No changes, other than corrective amendments (defined as an amendment which corrects a technical error) would be allowed to the initial version;

If the Legislature fails to enact redistricting legislation prior to adjournment, the Governor would call a special session within 30 days and the Director of Research and the committee would begin a new initial version of the map.

<https://nebraskalegislature.gov/FloorDocs/106/PDF/Intro/LB1207.pdf>

Redistricting bills introduced in 2019:

LB466 (Howard) %u2013 This bill is similar to LB1207. It creates the Redistricting Committee of the Legislature. There is no provision in the bill for the makeup of the committee or for its chair and vice-chair.

The criteria for drawing boundaries is the same as in LB1207. District lines would be drawn based on population, using state-issued computer software, and politically neutral criteria, including: equal population; no political affiliation; no previous voting data; only data from the U.S. Census Bureau; deference to county and municipal lines when appropriate; and contiguous districts.

LB466 includes a requirement to use state-issued software and provides a process for three versions of maps to be considered by the Legislature. (LB1207 does not.)

Only corrective amendments would be allowed in the initial version of the maps. Versions two and three would allow a member of the Legislature to submit his or her comments or suggested changes, and version three would allow for amendments.

<https://www.nebraskalegislature.gov/FloorDocs/106/PDF/Intro/LB466.pdf>

LB253 (McCollister) %u2013 Create an Independent Redistricting Citizen%u2019s Advisory Commission. Substantive and procedural guidelines would be developed by the Executive Board and presented to the Legislature for final approval.

In preparing the redistricting plans, neither the director nor the commission could consider political party affiliation of registered voters or previous election results, and could not deliberately or inappropriately draw district boundary lines to favor any one individual, group, political party, or incumbent officeholder. The director or commission would not have access to: (a) political party affiliation of registered voters; or (b) previous election results.

The director and commission could not draw any district boundary that results in cracking, packing, or otherwise diluting the voting rights of any majority or minority based on race or language.

<https://www.nebraskalegislature.gov/FloorDocs/106/PDF/Intro/LB253.pdf>

LB261 (DeBoer) %u2013 Require the use of redistricting maps using state-issued computer software.

<https://www.nebraskalegislature.gov/FloorDocs/106/PDF/Intro/LB261.pdf>

LB467 (Senators Vargas and Howard) %u2013 Prohibits consideration of political affiliation of registered voters, demographic information other than population figures, or the results of previous elections when drawing legislative district boundaries.

<https://www.nebraskalegislature.gov/FloorDocs/106/PDF/Intro/LB467.pdf>

LB1157 (2020)

Provide for counting Nebraska residents in
Nebraska prisons for redistricting purposes

(Senator Vargas)

Date of Hearing: February 12, 2020

For purposes of redistricting, a person who was a resident of Nebraska prior to being confined to a prison in Nebraska shall be counted as a resident of the county, city, or village in which the individual was a resident prior to being confined.

<https://nebraskalegislature.gov/FloorDocs/106/PDF/Intro/LB1157.pdf>

For your information, I have attached a recent article from NCSL titled, Reallocating Incarcerated Persons for Redistricting

<https://www.ncsl.org/research/redistricting/reallocating-incarcerated-persons-for-redistricting.aspx>

Mike Hilgers, Chairperson