

AMENDMENTS TO LR134

Introduced by Redistricting.

1           1. Strike the original provisions and insert the following new  
2 provisions:

3           WHEREAS, redistricting of the various election districts will be  
4 considered as required by the Constitution of Nebraska and the  
5 Constitution of the United States; and

6           WHEREAS, the redistricting process is under the control of the  
7 Legislature and its rules; and

8           WHEREAS, the Legislature created the Redistricting Committee to  
9 administer the 2021 redistricting process; and

10          WHEREAS, the Redistricting Committee adopted proposed substantive  
11 guidelines for consideration by the Legislature.

12          NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED  
13 SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

14          That the following criteria are adopted to guide the Legislature  
15 during the 2021 redistricting process. The criteria are designed to help  
16 ensure that the redistricting plans developed are constitutionally  
17 acceptable:

18           1. Population data from the 2020 United States Census will be used  
19 for purposes of redistricting.

20           2. District boundaries established by the Legislature during the  
21 2021 redistricting process shall be based on census geography.

22           3. District boundaries shall follow county lines whenever  
23 practicable and shall define districts that are compact and contiguous as  
24 these terms have been articulated by the United States Supreme Court. If  
25 adherence to county lines causes a redistricting plan, or any aspect  
26 thereof, to be in violation of principles set forth by the United States  
27 Supreme Court in interpreting the United States Constitution, that

1 requirement may be waived to the extent necessary to bring the plan or  
2 aspect of the plan into compliance with such principles.

3 4. Insofar as possible, and within the context of principles set  
4 forth by the United States Supreme Court, district boundaries shall  
5 define districts that are easily identifiable and understandable to  
6 voters, preserve communities of interest, and allow for the preservation  
7 of the cores of prior districts. When feasible, district boundary lines  
8 shall coincide with the boundaries of cities and villages. If a county,  
9 city, or village must be divided, the division shall be made along  
10 clearly recognizable boundaries, as described by census geography.

11 5. District boundaries shall not be established with the intention  
12 of favoring a political party or any other group or person.

13 6. In drawing district boundaries, no consideration shall be given  
14 to the political affiliations of registered voters, demographic  
15 information other than population figures, or the results of previous  
16 elections, except as may be required by the laws and Constitution of the  
17 United States.

18 7. District boundaries which would result in the unlawful dilution  
19 of the voting strength of any minority population shall not be  
20 established.

21 8. The general goal of the redistricting process shall be the  
22 creation of districts that are substantially equal in population. The  
23 specific criteria under which redistricting plans shall be judged with  
24 regard to the issue of population equality are described in Guideline 9.

25 9. The following criteria shall be specifically applicable to the  
26 public bodies for which the Legislature will create new district  
27 boundaries in 2021:

28 UNITED STATES HOUSE OF REPRESENTATIVES

29 (a) Three single-member districts.

30 (b) Population among districts shall be as nearly equal as  
31 practicable, that is, with an overall range of deviation at or

1 approaching 0%.

2 (c) No plan will be considered which results in an overall range of  
3 deviation in excess of 1% or a relative deviation in excess of plus or  
4 minus 0.5%, based on the ideal district population. Any deviation from  
5 absolute equality of population must be necessary to the achievement of a  
6 "legitimate state objective" as that concept has been articulated by the  
7 United States Supreme Court. To the extent that such objectives are  
8 relied on, they shall be applied consistently and shall include, but not  
9 be limited to, the creation of compact districts, the preservation of  
10 municipal boundaries, the preservation of communities of interest, and  
11 allowance for the preservation of the cores of prior districts. Whenever  
12 there is presented to the Legislature more than one plan that will  
13 substantially vindicate the above objectives, preference will be given to  
14 the plan that provides the greatest degree of population equality.

15 LEGISLATURE

16 (a) Forty-nine single-member districts.

17 (b) In establishing new legislative district boundaries, the  
18 Legislature shall create districts that are as nearly equal in population  
19 as may be. No plan will be considered which results in an overall range  
20 of deviation in excess of 10% or a relative deviation in excess of plus  
21 or minus 5%, based on the ideal district population.

22 (c) Any deviation in excess of the above must be justifiable as  
23 necessary for the realization of a "rational state policy" as that  
24 concept has been articulated by the United States Supreme Court.

25 (d) If the population of any county falls within the relative  
26 deviation set forth in these guidelines, the boundaries of that county  
27 shall define a legislative district.

28 NEBRASKA SUPREME COURT

29 (a) Six single-member districts.

30 (b) Equality of population shall be achieved in accordance with the  
31 standards established above for redistricting the Legislature.

1 BOARD OF REGENTS

2 (a) Eight single-member districts.

3 (b) Equality of population shall be achieved in accordance with the  
4 standards established above for redistricting the Legislature.

5 PUBLIC SERVICE COMMISSION

6 (a) Five single-member districts.

7 (b) Equality of population shall be achieved in accordance with the  
8 standards established above for redistricting the Legislature.

9 STATE BOARD OF EDUCATION

10 (a) Eight single-member districts.

11 (b) Equality of population shall be achieved in accordance with the  
12 standards established above for redistricting the Legislature.