

Petition: Redistricting Reform

RECEIVED
MAR 05 2020
SECRETARY OF STATE

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

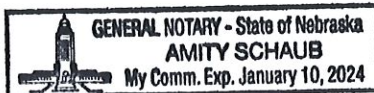
I hereby swear that Nebraskans for Independent Redistricting, a Nebraska nonprofit corporation, the name and address of which are listed above, is the only person, corporation, or association sponsoring this petition.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 3 day
of March, 2020.

D'Annunzio Schumek

DiAnna Schimek
Director and Secretary
Nebraskans for Independent Redistricting

SUBSCRIBED AND SWORN TO before me this 5th day of March, 2020.



Amity Schaub
Notary Public

RECEIVED

MAR 19 2020

SECRETARY OF STATE

[III-31]

In addition to any other requirements of this Constitution, in establishing or revising the boundaries of all election districts for federal and state offices as provided in the Constitution of the United States or this Constitution:

(1) Every ten years beginning in 2021, the Legislature shall establish a screening committee of nine of its members, no more than five of whom may be affiliated with the same political party. Action by the screening committee shall require the affirmative votes of at least six of its members. The screening committee shall appoint a Commission on Redistricting with responsibility to draw and recommend to the Legislature the boundaries of election districts;

(2) The commission shall be comprised of nine registered voters of the State of Nebraska divided into three groups: Three commissioners registered with the largest political party in the state, three commissioners registered with the second largest political party in the state, and three commissioners not registered with either of these political parties. The opportunity to serve on the commission shall be broadly advertised to the public. The screening committee shall identify and make public a pool of candidates from

among the registered voters of the state who apply to the screening committee, who have the ability to exercise nonpartisan, independent judgment in drawing election districts, and who in the judgment of the screening committee are likely to do so. The screening committee or its staff may interview applicants prior to finalizing the pool of candidates. The screening committee shall select two candidates in each of the three groups in the pool at random and appoint them to the commission and shall directly choose one candidate from each group and appoint them to the commission;

(3) Commissioners shall not have changed political affiliation in the three years prior to submission of their applications. No commissioner, and no member of a commissioner's immediate family, shall be a member of Congress, a member of the Legislature, a constitutional officer of the State of Nebraska (other than a commissioner), an elected county or city official, an elected or appointed official or employee of a political party, a consultant for a political party, a candidate or consultant for a candidate for state, county, or city elective office, or a registered lobbyist, and no commissioner or member of a commissioner's immediate family

shall have held any of these positions for at least five years prior to the commissioner's application;

(4) The screening committee shall appoint the commissioners on or before February 14, 2021, and on or before February 14 every ten years thereafter. Each commissioner's term shall expire ten years after the date of the commissioner's appointment or when the next commission is established, whichever is earlier. The screening committee shall fill vacancies on the commission from the same pool and group of candidates as the commissioner whose position is vacant. No commissioner shall be eligible for state office until after the next commission recommends maps to the Legislature;

(5) The commission shall begin its work on or before March 1 of each year in which the commission is established and shall recommend maps setting forth the boundaries of all election districts by May 1 of that same year;

(6) The commission may retain employees, consultants, and legal counsel and contract for goods and services, but shall not retain or contract with an individual who would be ineligible to serve on the commission under subdivision (3) of this section or an entity owned or controlled by such an individual. On each business day beginning on the date a commissioner begins work through May 1

in the year of appointment, and on other days on which the commission meets, a commissioner shall be entitled to the same per diem and reimbursement of expenses as a member of the Legislature while the Legislature is in session;

(7) The Legislature shall provide meeting space and staff for the commission and shall appropriate the funds necessary for the commission to carry out its duties;

(8) The commission shall hold at least one public meeting in each congressional district prior to recommending maps to the Legislature. The commission shall make the maps proposed for recommendation and other data being considered readily available to the public across the state in a reasonably usable format at least seven days prior to the first such meeting and shall consider comments and maps provided by the public. Maps proposed by the commission shall be accompanied by a written explanation of the decisions made by the commission in drawing the maps;

(9) A quorum of the commission shall be seven commissioners. In order to be effective, any action taken by the commission, including the election of its chairperson and vice-chairperson and the recommendation of maps, shall have the votes of at least two commissioners from each of the three groups of commissioners;

(10) Subject to other provisions of this Constitution, election districts shall be drawn in accordance with the following criteria, in order of priority: (a) Complying with federal law, (b) creating contiguous districts, (c) making districts as nearly equal in population as possible, (d) ensuring that districts do not deny or abridge the right to vote on the basis of race or language, and (e) minimizing the division of county, municipal, and neighborhood boundaries;

(11) Notwithstanding subdivision (10) of this section, election districts shall not be drawn to intentionally favor any incumbent or political party and shall not, when viewed on a statewide basis, unduly favor or disfavor any political party;

(12) Except as may be otherwise required by federal law or to evaluate maps for compliance with subdivisions (10) and (11) of this section, election districts shall be drawn without considering the political affiliation of voters or previous voting data;

(13) The commission shall recommend to the Legislature maps setting forth the boundaries of election districts. Such maps shall be subject to final approval by the Legislature;

(14) The Legislature shall not redraw any districts. If any districts are rejected by the Legislature, the commission shall

redraw the maps containing such districts in compliance with subdivisions (10), (11), and (12) of this section, taking into account any feedback from the Legislature, and resubmit such maps to the Legislature for approval;

(15) All proceedings of the Legislature and its committees regarding redistricting and all meetings of the commission shall be conducted exclusively in public; and

(16) Any registered voter of the State of Nebraska may maintain an action to compel compliance with this section. The district court for Lancaster County shall have original jurisdiction over any such action.

OBJECT CLAUSE

This proposal would amend the Nebraska Constitution to require that the Legislature appoint a commission of nine registered voters to draw the maps of election districts. Election districts would be required to be drawn in public in a manner that is transparent, not to intentionally favor any incumbent or political party, and not to unduly favor or disfavor any political party when viewed on a statewide basis. Subject to other provisions of the Constitution, election districts would be required to be equal in population and

contiguous, to be non-discriminatory, and to track county, municipal and neighborhood boundaries wherever possible.

4837-1032-0567, v. 1

INITIATIVE PETITION

For Secretary of State Use Only

The object of this petition is to: (See reverse side for actual text of measure)

Amend the Nebraska Constitution to require that the Legislature appoint a commission of nine registered voters to draw the maps of election districts. Election districts would be required to be drawn in public in a manner that is transparent, not to intentionally favor any incumbent or political party, and not to unduly favor or disfavor any political party when viewed on a statewide basis. Subject to other provisions of the Constitution, election districts would be required to be equal in population and contiguous, to be non-discriminatory, and to track county, municipal and neighborhood boundaries wherever possible.

To the Honorable Robert Evnen, Secretary of State for the State of Nebraska:

We, the undersigned residents of the State of Nebraska and the county of _____, respectfully demand that the following proposed amendment to the Constitution of Nebraska shall be referred to the registered voters of the state for their approval or rejection at the general election to be held on the 3rd day of November 2020, and each for himself or herself says: I have personally signed this petition on the date opposite my name; I am a registered voter of the State of Nebraska and county of _____ and am qualified to sign this petition or I will be so registered and qualified on or before the date on which this petition is required to be filed with the Secretary of State; and My printed name, date of birth, street and number or voting precinct, and city, village, or post office address are correctly written after my signature.

WARNING TO PETITION SIGNERS—VIOLATION OF ANY OF THE FOLLOWING PROVISIONS OF LAW MAY RESULT IN THE FILING OF CRIMINAL CHARGES: Any person who signs any name other than his or her own to any petition or who is not qualified to sign the petition shall be guilty of a Class I misdemeanor. Any person who falsely swears to a circulator’s affidavit on a petition, who accepts money or other things of value for signing a petition, or who offers money or other things of value in exchange for a signature upon any petition shall be guilty of a Class IV felony.

	DATE	SIGNATURE	PRINTED NAME	DATE OF BIRTH	ADDRESS (Street Number & Name)	CITY OR VILLAGE	ZIP CODE
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STATE OF NEBRASKA)
) ss
COUNTY OF _____)

_____, (name of circulator) being first duly sworn, deposes and says that he or she is the circulator of this petition containing _____ signatures, that he or she is at least eighteen years of age, that each person whose name appears on the petition personally signed the petition in the presence of the affiant, that the date to the left of each signature is the correct date on which the signature was affixed to the petition and that the date was personally affixed by the person signing such petition, that the affiant believes that each signer has written his or her name, street and number or voting precinct, and city, village, or post office address correctly, that the affiant believes that each signer was qualified to sign the petition, and that the affiant stated to each signer the object of the petition as printed on the petition before he or she affixed his or her signature to the petition.

_____. Circulator
_____. Address
_____. City, State, Zip

Subscribed and sworn to before me, a notary public, this _____ day of _____, 20 ____ at _____, Nebraska.

(Seal)

_____. Notary Public

Proposed Constitutional Amendment Language:

To add a new section 31 to Article III:

[III-31] In addition to any other requirements of this Constitution, in establishing or revising the boundaries of all election districts for federal and state offices as provided in the Constitution of the United States or this Constitution:

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(7) The Legislature shall provide meeting space and staff for the commission and shall appropriate the funds necessary for the commission to carry out its duties;

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(9) A quorum of the commission shall be seven commissioners. In order to be effective, any action taken by the commission, including the election of its chairperson and vice-chairperson and the recommendation of maps, shall have the votes of at least two commissioners from each of the three groups of commissioners;

(10) Subject to other provisions of this Constitution, election districts shall be drawn in accordance with the following criteria, in order of priority: (a) Complying with federal law, (b) creating contiguous districts, (c) making districts as nearly equal in population as possible, (d) ensuring that districts do not deny or abridge the right to vote on the basis of race or language, and (e) minimizing the division of county, municipal, and neighborhood boundaries;

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