

ONE HUNDRED NINTH LEGISLATURE

SECOND SESSION

**LEGISLATIVE RESOLUTION 311CA**

PROPOSED CONSTITUTIONAL AMENDMENT

Introduced by Cavanaugh, J., 9.

Read first time January 21, 2026

Committee: Executive Board

1       THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, SECOND  
2   SESSION, RESOLVE THAT:

3       **Section 1.** At the general election in November 2026, the following  
4   proposed amendment to the Constitution of Nebraska shall be submitted to  
5   the electors of the State of Nebraska for approval or rejection:

6       To add a new section 31 to Article III:

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

11       (1) Every ten years beginning in 2031, the Legislature shall  
12   establish a screening committee of nine of its members, no more than five  
13   of whom may be affiliated with the same political party. Action by the  
14   screening committee shall require the affirmative votes of at least six  
15   of its members. The screening committee shall appoint a Commission on  
16   Redistricting with responsibility to draw and recommend to the  
17   Legislature the boundaries of election districts;

18       (2) The commission shall be comprised of nine registered voters of  
19   the State of Nebraska divided into three groups: Three commissioners  
20   affiliated with the largest political party in the state, three  
21   commissioners affiliated with the second largest political party in the  
22   state, and three commissioners not affiliated with either of these  
23   political parties. The opportunity to serve on the commission shall be

1 broadly advertised to the public. The screening committee shall identify  
2 and make public a pool of candidates from among the registered voters of  
3 the state who apply to the screening committee, who have the ability to  
4 exercise nonpartisan, independent judgment in drawing election districts,  
5 and who in the judgment of the screening committee are likely to do so.  
6 The screening committee may interview applicants prior to finalizing the  
7 pool of candidates. The screening committee shall select two candidates  
8 in each of the three groups in the pool at random and appoint them to the  
9 commission and shall directly choose one candidate from each group and  
10 appoint them to the commission;

11 (3)(a) In order to be eligible to be a commissioner, a registered  
12 voter shall not have changed political affiliation in the three years  
13 prior to submission of the application.

14 (b) No commissioner, and no member of a commissioner's immediate  
15 family, shall be a member of Congress, a member of the Legislature, a  
16 constitutional officer of the State of Nebraska (other than a  
17 commissioner), an elected county or city official, an elected or  
18 appointed official or employee of a political party, a candidate for  
19 federal, state, county, or city elective office, a registered lobbyist,  
20 or a consultant for a political party or a candidate for federal, state,  
21 county, or city elective office.

22 (c) No commissioner or member of a commissioner's immediate family  
23 shall have held any of the positions listed in subdivision (3)(b) of this  
24 section for at least five years prior to the commissioner's application.

25 (d) For purposes of this section, immediate family includes any  
26 person related to a commissioner by blood or marriage, including foster  
27 and adopted children;

28 (4) The screening committee shall appoint the commissioners on or  
29 before March 1, 2031, and on or before March 1 every ten years  
30 thereafter. Each commissioner's term shall expire ten years after the  
31 date of the commissioner's appointment or when the next commission is

1     established, whichever is earlier. The screening committee shall fill  
2     vacancies on the commission from the same pool and group of candidates as  
3     the commissioner whose position is vacant. No commissioner shall be  
4     eligible for state office for a period of five years following the  
5     conclusion of service as a commissioner;

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

10         (6) The commission may retain employees, consultants, and legal  
11     counsel and contract for goods and services, but shall not retain or  
12     contract with an individual who would be ineligible to serve on the  
13     commission under subdivision (3) of this section or an entity owned or  
14     controlled by such an individual. On each day on which the commission  
15     meets to conduct its duties relating to redistricting, a commissioner  
16     shall be entitled to the same per diem and reimbursement of expenses as a  
17     member of the Legislature while the Legislature is in session;

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

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

29         (9) A quorum of the commission shall be seven commissioners. In  
30     order to be effective, any action taken by the commission, including the  
31     election of its chairperson and vice-chairperson and the recommendation

1    of maps, shall have the votes of at least two commissioners from each of  
2    the three groups of commissioners;

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

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

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

18                   (13) The Legislature shall not redraw any districts. If any  
19   districts are rejected by the Legislature, the commission shall redraw  
20   the maps containing such districts in compliance with subdivisions (10)  
21   and (11) of this section, taking into account any feedback from the  
22   Legislature, and resubmit such maps to the Legislature for approval;

23                   (14) All proceedings of the Legislature and its committees regarding  
24   redistricting and all meetings of the commission shall be conducted in  
25   public or with a remote viewing option which is readily accessible by the  
26   public; and

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

30                   **Sec. 2.** The proposed amendment shall be submitted to the electors  
31   in the manner prescribed by the Constitution of Nebraska, Article XVI,

1 section 1, with the following ballot language:

2 A constitutional amendment to require appointment of a Commission on  
3 Redistricting to draw and recommend to the Legislature the boundaries of  
4 election districts.

5 For

6 Against.