

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 361

Introduced by Avery, 28.

Read first time January 16, 2009

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to public meetings; to amend section
2 84-1413, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to roll call votes; and to repeal the
4 original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 84-1413, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 84-1413 (1) Each public body shall keep minutes of all
4 meetings showing the time, place, members present and absent, and
5 the substance of all matters discussed.

6 (2) Any action taken on any question or motion duly moved
7 and seconded shall be by roll call vote of the public body in open
8 session, and the record shall state how each member voted or if the
9 member was absent or not voting. The requirements of a roll call
10 or viva voce vote shall be satisfied by a municipality, a joint
11 entity created pursuant to the Interlocal Cooperation Act, a joint
12 public agency created pursuant to the Joint Public Agency Act,
13 or an agency formed under the Municipal Cooperative Financing Act
14 which utilizes an electronic voting device which allows the yeas
15 and nays of each member of ~~the~~ such city council, ~~or~~ village board,
16 or governing body to be readily seen by the public.

17 (3) The vote to elect leadership within a public body may
18 be taken by secret ballot, but the total number of votes for each
19 candidate shall be recorded in the minutes.

20 (4) The minutes of all meetings and evidence and
21 documentation received or disclosed in open session shall be
22 public records and open to public inspection during normal business
23 hours.

24 (5) Minutes shall be written and available for inspection
25 within ten working days or prior to the next convened meeting,

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1 whichever occurs earlier, except that cities of the second class
2 and villages may have an additional ten working days if the
3 employee responsible for writing the minutes is absent due to a
4 serious illness or emergency.

5 Sec. 2. Original section 84-1413, Reissue Revised
6 Statutes of Nebraska, is repealed.