

AMENDMENTS TO LB 735

Introduced by Government, Military and Veterans Affairs

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

3 Section 1. Section 84-1411, Revised Statutes Cumulative
4 Supplement, 2010, is amended to read:

5 84-1411 (1) Each public body shall give reasonable
6 advance publicized notice of the time and place of each meeting
7 by a method designated by each public body and recorded in its
8 minutes. Such notice shall be transmitted to all members of the
9 public body and to the public. Such notice shall contain an
10 agenda of subjects known at the time of the publicized notice
11 or a statement that the agenda, which shall be kept continually
12 current, shall be readily available for public inspection at the
13 principal office of the public body during normal business hours.
14 Agenda items shall be sufficiently descriptive to give the public
15 reasonable notice of the matters to be considered at the meeting.
16 Except for items of an emergency nature, the agenda shall not
17 be altered later than (a) twenty-four hours before the scheduled
18 commencement of the meeting or (b) forty-eight hours before the
19 scheduled commencement of a meeting of a city council or village
20 board scheduled outside the corporate limits of the municipality.
21 The public body shall have the right to modify the agenda to
22 include items of an emergency nature only at such public meeting.

23 (2) A meeting of a state agency, state board, state

1 commission, state council, or state committee, of an advisory
2 committee of any such state entity, of an organization created
3 under the Interlocal Cooperation Act, the Joint Public Agency
4 Act, or the Municipal Cooperative Financing Act, of the governing
5 body of a public power district having a chartered territory
6 of more than ~~fifty counties~~ one county in this state, of the
7 governing body of a public power and irrigation district having
8 a chartered territory of more than one county in this state, of
9 a board of an educational service unit, ~~or~~ of the governing body
10 of a risk management pool or its advisory committees organized
11 in accordance with the Intergovernmental Risk Management Act,
12 or of a community college board of governors may be held
13 by means of videoconferencing or, in the case of the Judicial
14 Resources Commission in those cases specified in section 24-1204,
15 by telephone conference, if:

- 16 (a) Reasonable advance publicized notice is given;
- 17 (b) Reasonable arrangements are made to accommodate the
18 public's right to attend, hear, and speak at the meeting, including
19 seating, recordation by audio or visual recording devices, and
20 a reasonable opportunity for input such as public comment or
21 questions to at least the same extent as would be provided if
22 videoconferencing or telephone conferencing was not used;
- 23 (c) At least one copy of all documents being considered
24 is available to the public at each site of the videoconference or
25 telephone conference;
- 26 (d) At least one member of the state entity, advisory
27 committee, board, or governing body is present at each site of the

1 videoconference or telephone conference; and

2 (e) No more than one-half of the state entity's, advisory
3 committee's, board's, or governing body's meetings in a calendar
4 year are held by videoconference or telephone conference.

5 Videoconferencing, telephone conferencing, or
6 conferencing by other electronic communication shall not be used
7 to circumvent any of the public government purposes established
8 in the Open Meetings Act.

9 (3) A meeting of a board of an educational service unit,
10 of the governing body of an entity formed under the Interlocal
11 Cooperation Act, the Joint Public Agency Act, or the Municipal
12 Cooperative Financing Act, ~~or~~ of the governing body of a risk
13 management pool or its advisory committees organized in accordance
14 with the Intergovernmental Risk Management Act, of a community
15 college board of governors, of the governing body of a public power
16 district, or of the governing body of a public power and irrigation
17 district may be held by telephone conference call if:

18 (a) The territory represented by the educational service
19 unit, community college board of governors, public power district,
20 public power and irrigation district, or member public agencies of
21 the entity or pool covers more than one county;

22 (b) Reasonable advance publicized notice is given
23 which identifies each telephone conference location at which an
24 educational service unit board member, a member of a community
25 college board of governors, a member of the governing body of a
26 public power district, a member of the governing body of a public
27 power and irrigation district, or a member of the entity's or

1 pool's governing body will be present;

2 (c) All telephone conference meeting sites identified in
3 the notice are located within public buildings used by members
4 of the educational service unit board, community college board of
5 governors, governing body of the public power district, governing
6 body of the public power and irrigation district, or entity or pool
7 or at a place which will accommodate the anticipated audience;

8 (d) Reasonable arrangements are made to accommodate the
9 public's right to attend, hear, and speak at the meeting, including
10 seating, recordation by audio recording devices, and a reasonable
11 opportunity for input such as public comment or questions to
12 at least the same extent as would be provided if a telephone
13 conference call was not used;

14 (e) At least one copy of all documents being considered
15 is available to the public at each site of the telephone conference
16 call;

17 (f) At least one member of the educational service unit
18 board, community college board of governors, governing body of
19 the public power district, governing body of the public power and
20 irrigation district, or governing body of the entity or pool is
21 present at each site of the telephone conference call identified in
22 the public notice;

23 (g) The telephone conference call lasts no more than one
24 hour; and

25 (h) No more than one-half of the board's, governing
26 body's, entity's, or pool's meetings in a calendar year are held
27 by telephone conference call, except that a governing body of a

1 risk management pool that meets at least quarterly and the advisory
2 committees of the governing body may each hold more than one-half
3 of its meetings by telephone conference call if the governing
4 body's quarterly meetings are not held by telephone conference call
5 or videoconferencing.

6 Nothing in this subsection shall prevent the
7 participation of consultants, members of the press, and
8 other nonmembers of the governing body at sites not identified in
9 the public notice. Telephone conference calls, emails, faxes, or
10 other electronic communication shall not be used to circumvent any
11 of the public government purposes established in the Open Meetings
12 Act.

13 (4) The secretary or other designee of each public body
14 shall maintain a list of the news media requesting notification
15 of meetings and shall make reasonable efforts to provide advance
16 notification to them of the time and place of each meeting and the
17 subjects to be discussed at that meeting.

18 (5) When it is necessary to hold an emergency meeting
19 without reasonable advance public notice, the nature of the
20 emergency shall be stated in the minutes and any formal action
21 taken in such meeting shall pertain only to the emergency.
22 Such emergency meetings may be held by means of electronic or
23 telecommunication equipment. The provisions of subsection (4)
24 of this section shall be complied with in conducting emergency
25 meetings. Complete minutes of such emergency meetings specifying
26 the nature of the emergency and any formal action taken at the
27 meeting shall be made available to the public by no later than the

1 end of the next regular business day.

2 (6) A public body may allow a member of the public or
3 any other witness other than a member of the public body to appear
4 before the public body by means of video or telecommunications
5 equipment.

6 Sec. 2. Original section 84-1411, Revised Statutes
7 Cumulative Supplement, 2010, is repealed.