

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1065

Introduced by Lautenbaugh, 18.

Read first time January 22, 2014

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to the Open Meetings Act; to amend section
- 2 84-1413, Revised Statutes Cumulative Supplement, 2012; to
- 3 eliminate provisions relating to secret ballots; and to
- 4 repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 84-1413, Revised Statutes Cumulative
2 Supplement, 2012, 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 the
5 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 or
10 viva voce vote shall be satisfied by a municipality, a county, a
11 learning community, a joint entity created pursuant to the Interlocal
12 Cooperation Act, a joint public agency created pursuant to the Joint
13 Public Agency Act, or an agency formed under the Municipal
14 Cooperative Financing Act which utilizes an electronic voting device
15 which allows the yeas and nays of each member of such city council,
16 village board, county board, or governing body to be readily seen by
17 the public.

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

21 ~~(4)~~-(3) The minutes of all meetings and evidence and
22 documentation received or disclosed in open session shall be public
23 records and open to public inspection during normal business hours.

24 ~~(5)~~-(4) Minutes shall be written and available for
25 inspection within ten working days or prior to the next convened

1 meeting, whichever occurs earlier, except that cities of the second
2 class 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, Revised Statutes
6 Cumulative Supplement, 2012, is repealed.