

which is governed by a board of directors whose members are elected from districts across the state. The members of the board, which include monthly meetings, are subject to the public meetings law. The law which applies to all public subdivisions...all political subdivisions and all state boards and commissions requires public bodies to give reasonable advance publicized notice of their meetings. If a public body does not provide the required notice, the law provides all actions taken by the public body at the specific meeting can be declared void. In the case of NPPD actions taken at meetings are not limited to the setting of wholesale and retail electric rates, but include awarding of contracts, the issuance of bonds, approval of expenditures and many other issues related to running a public utility. The ability of a court to declare any and all actions taken during a public meeting void, based on a determination that there was some defect in the notice which was given under the public meetings law, is such a severe sanction that there should be no room for uncertainty regarding the meeting of the notice requirement and the word reasonable. But reasonable is not defined in statute, nor has it ever been adequately defined in case law. The uncertainty that has been created by the federal courts order needs to be dealt with by the Legislature, not just for the sake of NPPD, but for the sake of all public bodies in the state. In summary, NPPD and all other public bodies need to know that actions taken at a public meeting are valid and will not be set aside in a later court challenge because of unintentional compliance with an indefinite notice standard. LB 628 does not change the operative provisions of the public meetings law in any respect. It will provide assurance to all of the public bodies that provide notice in the manner specified in the bill that they are in fact complying with the law. I ask for your support in advancing LB 628.

SPEAKER BARRETT: Thank you. The question is the advancement of LB 628 to E & R Initial. All in favor vote aye, opposed nay. Have you all voted? Record vote has been requested. We're voting on the advancement of the bill. Have you all voted? Senator Chambers. Senator Chambers not voting in lieu of a call for a record vote, did you say? Senator Chambers, you are asking for a record vote. Thank you. Then the Clerk, I believe, can abide by your wishes. Anyone else care to vote? Please record, Mr. Clerk.

CLERK: (Read record vote as found on page 1389 of the