

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 28, 2006 LB 898

opportunity to request a public meeting. Actually, there is already a provision for a public meeting in existing statute. But the committee heard testimony from quite a few people about this provision. And the concerns raised dealt with whether the individual could waive the notice, how the notice would be made, what would happen if the individual didn't get the notice. And in some cases, of course, at these public meetings, you have a number of individuals being discussed in these closed sessions. So even though it sounded like a good idea, the practical implementation was difficult at best. The second change eliminates the requirement that the presiding officer, upon reconvening the closed session, confirm on the record that only the subject matter of the closed session was discussed, and no formal or informal vote was taken. This, in our minds, was a given, because it's announced actually before they go into closed session. And we didn't see the need for the repetitiveness of that. It might just be a stumbling block for some of these local boards. Additionally, the amendment eliminates the word "specific" when describing the subject matter of a closed session and the proposals and projects listed on the agenda. Actually, what the committee did was change the requirement that the agenda be sufficiently detailed, to sufficiently descriptive, so that the public would know exactly what that agenda was about. We heard testimony, both last summer in the interim study that we did and at the committee hearing, that sometimes agendas are so cloudy or so nondescriptive that the ordinary person wouldn't have a clue as to what was on that agenda. And so some very important agenda items have come up that didn't get any public scrutiny at all because the public didn't know. And we thought that was a very important change to make. The committee did advance the bill, with five yes votes, one present and not voting, and two who were absent. With that, Mr. President, I would be happy to try to answer questions on the committee amendments, but I believe there is an amendment to the committee amendment.

SENATOR CUDABACK: Thank you, Senator Schimek. You've heard the opening. Mr. Clerk, please, an amendment to the amendment.

CLERK: Senator Langemeier would move to amend, AM2742. (Legislative Journal page 1055.)