

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 678**

Introduced by Haar, 21.

Read first time January 21, 2009

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Open Meetings Act; to amend section  
2 84-1413, Reissue Revised Statutes of Nebraska; to define  
3 a term; to change provisions relating to minutes of  
4 meetings; and to repeal the 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,  
5 and the substance of all matters discussed. For purposes of this  
6 section, minutes shall mean documentation of what occurred at the  
7 meeting and may be in written form or may consist of an electronic  
8 recording, including audio or video recording of the meeting.

9           (2) Any action taken on any question or motion duly moved  
10 and seconded shall be by roll call vote of the public body in open  
11 session, and the record shall state how each member voted or if the  
12 member was absent or not voting. The requirements of a roll call or  
13 viva voce vote shall be satisfied by a municipality which utilizes  
14 an electronic voting device which allows the yeas and nays of each  
15 member of the city council or village board to be readily seen by  
16 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 If the meeting was not electronically  
25 recorded, written minutes shall be ~~written~~ and available for

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

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7 Statutes of Nebraska, is repealed.