

AMENDMENTS TO LB 501

(Amendments to Final Reading copy)

1 1. Insert the following new section:

2 "Section 1. Section 84-1411, Revised Statutes
3 Supplement, 2004, is amended to read:

4 84-1411. (1) Each public body shall give reasonable
5 advance publicized notice of the time and place of each meeting by
6 a method designated by each public body and recorded in its
7 minutes. Such notice shall be transmitted to all members of the
8 public body and to the public. Such notice shall contain an agenda
9 of subjects known at the time of the publicized notice or a
10 statement that the agenda, which shall be kept continually current,
11 shall be readily available for public inspection at the principal
12 office of the public body during normal business hours. Such
13 notice and agenda shall contain at least a one-line description or
14 explanation of each agenda item, including the reason and
15 explanation for any proposed closed session. Except for items of
16 an emergency nature, the agenda shall not be altered later than (a)
17 twenty-four hours before the scheduled commencement of the meeting
18 or (b) forty-eight hours before the scheduled commencement of a
19 meeting of a city council or village board scheduled outside the
20 corporate limits of the municipality. The public body shall have
21 the right to modify the agenda to include items of an emergency
22 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 Act,
4 or the Municipal Cooperative Financing Act, of the governing body
5 of a public power district having a chartered territory of more
6 than fifty counties in this state, or of the governing body of a
7 risk management pool or its advisory committees organized in
8 accordance with the Intergovernmental Risk Management Act may be
9 held by means of videoconferencing or, in the case of the Judicial
10 Resources Commission in those cases specified in section 24-1204,
11 by telephone conference, if:

- 12 (a) Reasonable advance publicized notice is given;
- 13 (b) Reasonable arrangements are made to accommodate the
14 public's right to attend, hear, and speak at the meeting, including
15 seating, recordation by audio or visual recording devices, and a
16 reasonable opportunity for input such as public comment or
17 questions to at least the same extent as would be provided if
18 videoconferencing or telephone conferencing was not used;
- 19 (c) At least one copy of all documents being considered
20 is available to the public at each site of the videoconference or
21 telephone conference;
- 22 (d) At least one member of the state entity, advisory
23 committee, or governing body is present at each site of the
24 videoconference or telephone conference; and
- 25 (e) No more than one-half of the state entity's, advisory
26 committee's, or governing body's meetings in a calendar year are
27 held by videoconference or telephone conference.

1 Videoconferencing, telephone conferencing, or
2 conferencing by other electronic communication shall not be used to
3 circumvent any of the public government purposes established in the
4 Open Meetings Act.

5 (3) A meeting of the governing body of an entity formed
6 under the Interlocal Cooperation Act or the Joint Public Agency Act
7 or of the governing body of a risk management pool or its advisory
8 committees organized in accordance with the Intergovernmental Risk
9 Management Act may be held by telephone conference call if:

10 (a) The territory represented by the member public
11 agencies of the entity or pool covers more than one county;

12 (b) Reasonable advance publicized notice is given which
13 identifies each telephone conference location at which a member of
14 the entity's or pool's governing body will be present;

15 (c) All telephone conference meeting sites identified in
16 the notice are located within public buildings used by members of
17 the entity or pool or at a place which will accommodate the
18 anticipated audience;

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

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

1 (f) At least one member of the governing body of the
2 entity or pool is present at each site of the telephone conference
3 call identified in the public notice;

4 (g) The telephone conference call lasts no more than one
5 hour; and

6 (h) No more than one-half of the entity's or pool's
7 meetings in a calendar year are held by telephone conference call.

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

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

19 (5) When it is necessary to hold an emergency meeting
20 without reasonable advance public notice, the nature of the
21 emergency shall be stated in the minutes and any formal action
22 taken in such meeting shall pertain only to the emergency. Such
23 emergency meetings may be held by means of electronic or
24 telecommunication equipment. The provisions of subsection (4) of
25 this section shall be complied with in conducting emergency
26 meetings. Complete minutes of such emergency meetings specifying
27 the nature of the emergency and any formal action taken at the

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1 meeting shall be made available to the public by no later than the
2 end of the next regular business day.

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

7 2. On page 1, line 2, after "Nebraska" insert ", and
8 section 84-1411, Revised Statutes Supplement, 2004"; in line 3
9 after "the" insert "requirements for the notice and agenda and";
10 and in line 4 strike "section" and insert "sections".

11 3. On page 2, line 27, strike "is" and insert "and
12 section 84-1411, Revised Statutes Supplement, 2004, are".

13 4. Renumber the remaining sections accordingly.