



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 391

Chairperson: Ray Aguilar
Committee: Government, Military and Veterans Affairs
Date of Hearing: February 1, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 391 would amend the Public Records Law by amending section 84-712 to provide that this section would not be construed to require a public body or custodian of a public record to copy, produce, or generate all public records created within a certain time frame, without requesting a specific subject matter. This change in the law would prevent abuses, but still allow citizens to request public records relating to a specific subject matter.

LB 391 would also clarify the Public Records Law to expressly provide that citizens may request access to or copies of a public record or both access and copies relating to a specific subject matter. The bill would also clarify current law by providing that the custodian of public records shall provide access to such public records if requested and copies of the public record if requested and copying equipment is reasonably available. LB 391 would avoid the confusion regarding the interpretation of this section of law.

The bill would amend the Open Meetings Act by expressly providing that the public has the right to speak at meetings of public bodies on agenda items as allowed by the individual presiding over the meeting. This amendment would make it clear to citizens and members of public bodies when individuals may speak on agenda items. This amendment would relate to current law which provides that any public body may make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking on agenda items at, videotaping, televising, photographing, broadcasting, or recording its meetings.

LB 391 would also amend the Open Meetings Act to provide that each public body must have a form on which citizens may recommend subjects for discussion as possible agenda items at a future meeting. Copies of such form shall be made available at every meeting and at the principal office of the public body during normal business hours. Within ten business days after receiving such form, the secretary or other designee of the public body shall, by first class mail, send the citizen a written statement regarding the status of the request. This amendment would codify how the City of Grand Island and some other public bodies provide a process by which citizens may recommend subjects as agenda items for a future meeting.

The proposed amendments to the Open Meetings Act underscore the importance of providing reasonable advance publicized notice of agenda items which will be considered by the public body as currently required by law.

Principal Introducer:

_____ **Senator Mick Mines**