

AMENDMENTS TO LB649

Introduced by Government, Military and Veterans Affairs.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 84-712.01, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 84-712.01 (1) Except when any other statute expressly provides that
6 particular information or records shall not be made public, public
7 records shall include all records and documents, regardless of physical
8 form, of or belonging to this state, any county, city, village, political
9 subdivision, or tax-supported district in this state, or any agency,
10 branch, department, board, bureau, commission, council, subunit, or
11 committee of any of the foregoing. Data which is a public record in its
12 original form shall remain a public record when maintained in computer
13 files. Each vote cast by a public official for a leadership position in
14 the body in which he or she serves shall be recorded and preserved as a
15 public record, except that a procedure may be used to permit the vote to
16 be cast secretly so long as the person for whom the public official voted
17 is recorded after the tally for purposes of this section.

18 (2) When a custodian of a public record of a county provides to a
19 member of the public, upon request, a copy of the public record by
20 transmitting it from a modem to an outside modem, a reasonable fee may be
21 charged for such specialized service. Such fee may include a reasonable
22 amount representing a portion of the amortization of the cost of computer
23 equipment, including software, necessarily added in order to provide such
24 specialized service. This subsection shall not be construed to require a
25 governmental entity to acquire computer capability to generate public
26 records in a new or different form when that new form would require
27 additional computer equipment or software not already possessed by the

1 governmental entity.

2 (3) Sections 84-712 to 84-712.03 shall be liberally construed
3 whenever any state, county, or political subdivision fiscal records,
4 audit, warrant, voucher, invoice, purchase order, requisition, payroll,
5 check, receipt, or other record of receipt, cash, or expenditure
6 involving public funds is involved in order that the citizens of this
7 state shall have the full right to know of and have full access to
8 information on the public finances of the government and the public
9 bodies and entities created to serve them.

10 Sec. 2. Original section 84-712.01, Reissue Revised Statutes of
11 Nebraska, is repealed.