

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 646

Introduced by Kintner, 2; Brasch, 16; Craighead, 6; Ebke, 32; Groene, 42;
Larson, 40; Lindstrom, 18; Murante, 49; Schilz, 47;
Schnoor, 15.

Read first time January 21, 2015

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to the Open Meetings Act; to amend section
- 2 84-1413, Reissue Revised Statutes of Nebraska; to eliminate
- 3 provisions relating to secret ballots; and to repeal the original
- 4 section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 84-1413, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 84-1413 (1) Each public body shall keep minutes of all meetings
4 showing the time, place, members present and absent, and the substance of
5 all matters discussed.

6 (2) Any action taken on any question or motion duly moved and
7 seconded shall be by roll call vote of the public body in open session,
8 and the record shall state how each member voted or if the member was
9 absent or not voting. The requirements of a roll call or viva voce vote
10 shall be satisfied by a municipality, a county, a learning community, a
11 joint entity created pursuant to the Interlocal Cooperation Act, a joint
12 public agency created pursuant to the Joint Public Agency Act, or an
13 agency formed under the Municipal Cooperative Financing Act which
14 utilizes an electronic voting device which allows the yeas and nays of
15 each member of such city council, village board, county board, or
16 governing body to be readily seen by the public.

17 ~~(3) The vote to elect leadership within a public body may be taken~~
18 ~~by secret ballot, but the total number of votes for each candidate shall~~
19 ~~be recorded in the minutes.~~

20 (3 4) The minutes of all meetings and evidence and documentation
21 received or disclosed in open session shall be public records and open to
22 public inspection during normal business hours.

23 (4 5) Minutes shall be written and available for inspection within
24 ten working days or prior to the next convened meeting, whichever occurs
25 earlier, except that cities of the second class and villages may have an
26 additional ten working days if the employee responsible for writing the
27 minutes is absent due to a serious illness or emergency.

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29 Nebraska, is repealed.