

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 728

Introduced by Johnson, 23.

Read first time January 06, 2016

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to public meetings; to amend section 84-1413,
- 2 Revised Statutes Supplement, 2015; to authorize electronic voting
- 3 devices for natural resources districts; 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, Revised Statutes Supplement, 2015, 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 natural resources district, a joint entity created pursuant to the
12 Interlocal Cooperation Act, a joint public agency created pursuant to the
13 Joint Public Agency Act, or an agency formed under the Municipal
14 Cooperative Financing Act which utilizes an electronic voting device
15 which allows the yeas and nays of each member of such city council,
16 village board, county board, natural resources district board, or
17 governing body to be readily seen by the public.

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

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

24 (5) Minutes shall be written, except as provided in subsection (6)
25 of this section, and available for inspection within ten working days or
26 prior to the next convened meeting, whichever occurs earlier, except that
27 cities of the second class and villages may have an additional ten
28 working days if the employee responsible for writing the minutes is
29 absent due to a serious illness or emergency.

30 (6) Minutes of the meetings of the board of a school district or
31 educational service unit may be kept as an electronic record.

1 Sec. 2. Original section 84-1413, Revised Statutes Supplement,
2 2015, is repealed.