

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 876

Introduced by Murante, 49.

Read first time January 11, 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 public bodies; and to repeal the original section.
- 4 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 public body ~~municipality, a county, a learning~~
11 ~~community, a joint entity created pursuant to the Interlocal Cooperation~~
12 ~~Act, a joint public agency created pursuant to the Joint Public Agency~~
13 ~~Act, or an agency formed under the Municipal Cooperative Financing Act~~
14 which utilizes an electronic voting device which allows the yeas and nays
15 of each member of such public ~~city council, village board, county board,~~
16 ~~or 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 (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 (5) Minutes shall be written, except as provided in subsection (6)
24 of this section, and available for inspection within ten working days or
25 prior to the next convened meeting, whichever occurs earlier, except that
26 cities of the second class and villages may have an additional ten
27 working days if the employee responsible for writing the minutes is
28 absent due to a serious illness or emergency.

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

31 Sec. 2. Original section 84-1413, Revised Statutes Supplement,

1 2015, is repealed.