

**ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019**  
**COMMITTEE STATEMENT**  
**LB212**

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**Hearing Date:** Wednesday February 06, 2019  
**Committee On:** Government, Military and Veterans Affairs  
**Introducer:** Government, Military and Veterans Affairs  
**One Liner:** Change requirements for videoconferencing and telephone conferencing under the Open Meetings Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

|                            |   |  |
|----------------------------|---|--|
| <b>Aye:</b>                | 7 | Senators Blood, Brewer, Hansen, M., Hunt, Kolowski, La Grone, Lowe |
| <b>Nay:</b>                |   |  |
| <b>Absent:</b>             | 1 | Senator Hilgers  |
| <b>Present Not Voting:</b> |   |  |

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**Oral Testimony:**

**Proponents:**

Senator Tom Brewer  
Chris Dibbern

Lynn Rex

**Representing:**

Introducer  
Nebraska Municipal Power Pool and Municipal Energy Agency of Nebraska MEAN  
League of NE Municipalities

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 212 would make certain minor changes to the Open Meetings Act to amend Section 84-1411, in general permitting the use of technology to create a more efficient and transparent government public meetings. The changes contained in the bill are as follows:

\*Organizations created under certain Acts may designate a nonvoting designee who shall not be included as part of the quorum to be present at any site to keep the site open for members of the public who may wish to attend a public hearing by telephone conference or videoconference.

\*Organizations created under certain Acts may hold more than fifty percent of their meetings by telephone or videoconferencing as long as at least one meeting is not held by videoconferencing or telephone conference. These changes only apply to organizations created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multi-state basis, or an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool.

\*Lastly, the current law only allows a telephone conference call to last two hours. This proposed change would allow the call to last no more than five hours.

**Explanation of amendments:**

The committee amendment, AM 380, adds the provisions of two other bills relating to public hearings requirements: Senator La Grone's LB 191 and Senator Dorn's LB 239.

The provisions from LB 191 harmonize the definitions of bonds with the definition found in Section 10-134 and deletes obsolete language regarding financial instruments approved and agreed to prior to July 1, 1999. They also limit to one year the period for which a governmental unit may exceed the allowable growth percentage if approved by voters at a meeting. Finally, they eliminate an ambiguity by changing the days of publication prior to a budget hearing from five calendar days to four but defining such days to include the day of the publications but not the day of the hearing.

The provisions from LB 239 would amend Section 23-906 of the County Budget Act to mirror the four-day notice language in Section 13-506 of the Nebraska Budget Act.

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Tom Brewer, Chairperson