

**ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021**  
**COMMITTEE STATEMENT**  
**LB83**

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**Hearing Date:** Wednesday January 27, 2021  
**Committee On:** Government, Military and Veterans Affairs  
**Introducer:** Flood  
**One Liner:** Change the Open Meetings Act to provide for virtual conferencing

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

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**Vote Results:**  
**Aye:** 8 Senators Blood, Brewer, Halloran, Hansen, M., Hunt, Lowe, McCollister, Sanders  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Oral Testimony:**

**Proponents:**

Senator Mike Flood  
Larry Ruth  
  
Shelley Sahling-Zart  
Mike Rogers  
Lynn Rex

Sean Kelley  
Edison McDonald  
Danielle Conrad

**Opponents:**

Lance R. Molina

**Neutral:**

Tim Texel

**Representing:**

Introducer  
Nebraska Association of Resources Districts and Lower Platte South NRD  
Nebraska Power Association  
City of Lincoln  
League of Nebraska of Municipalities and Nebraska Association of School Boards  
Douglas County Board of Commissioners  
The Arc of Nebraska  
ACLU

**Representing:**

Self

**Representing:**

Nebraska Power Review Board

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**Submitted Written Testimony:**

**Proponents:**

Jerry Stilmock  
  
Seth Voyles  
Nathan Beacom  
Colby Coash

**Representing:**

Nebraska State Volunteer Firefighter's Association and Nebraska Fire Chiefs Association  
OPPD  
Senior Policy Associate Center for Rural Affairs  
Nebraska Association of School Boards

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Jon Cannon  
Kraig J. Lofquist  
Eric Gerrard  
Kathy Hoell  
Heath Mello  
Joseph Kohout  
Monika Gross

Nebraska Association of County Officials  
Educational Service Unit Coordinating Council  
Friends of Public Health in Nebraska  
Self  
University of Nebraska  
Nebraska Association of Regional Administrators  
The Foster Care Review Office

**Opponents:**

Matt Miltenberger

**Representing:**

Governor Ricketts

**Neutral:**

Walt Radcliffe

**Representing:**

Media of Nebraska

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

This bill would revise the Open Meetings Act to (1) update and modernize references to videoconferencing and telephone conferencing and (2) authorize more instances in which public bodies may utilize virtual conferencing for their meetings, including declared emergencies. The provisions that update, modernize, and harmonize references to videoconferencing and telephone conferencing replace these terms with references to the more broadly inclusive term "virtual conferencing," which is defined to include all telephonic and electronic means of participation.

This bill would authorize virtual conferencing for meetings of public bodies located in a place subject to an emergency declaration by the governor or by a principal executive officer of a local government. Provisions for public access to these virtual meetings are mandated in the bill, including call-in telephone numbers, electronic copies of meeting agendas, and notice of virtual meetings to news media.

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**Explanation of amendments:**

The committee amendment adds language to the bill ratifying actions taken by public bodies in reliance on Governor's executive orders issued during the coronavirus pandemic. The amendment also adds metropolitan utility districts and regional metropolitan transit authorities to the list of political subdivisions that may utilize virtual conferencing for their public meetings. For entities holding virtual meetings with multiple locations for public participation, the amendment adds a requirement that each meeting site be attended by at least one member of the public entity or their designee. There is also a revision clarifying that the documents that must be made available at each meeting site are those documents "being considered at" the meeting. The amendment would require an emergency declaration by the Governor under section 81-829.39 to trigger emergency meeting procedures under the bill. Finally, the amendment provides an exception to an address publication requirement in instances where that address requirement may endanger a person's security.

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Tom Brewer, Chairperson