

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 365

Introduced by Baker, 30.

Read first time January 15, 2015

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to public records; to amend section 84-1413,
- 2 Reissue Revised Statutes of Nebraska; to allow school districts and
- 3 educational service units to keep electronic records; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. All books, papers, documents, reports, and records kept
2 by a school district or educational service unit may be retained as
3 electronic records. Minutes of the meetings of the board of a school
4 district or educational service unit may be kept as an electronic record.

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

7 84-1413 (1) Each public body shall keep minutes of all meetings
8 showing the time, place, members present and absent, and the substance of
9 all matters discussed.

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

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

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

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

1 absent due to a serious illness or emergency.

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

4 Sec. 3. Original section 84-1413, Reissue Revised Statutes of
5 Nebraska, is repealed.