

## LEGISLATIVE BILL 444

Approved by the Governor May 25, 1989

Introduced by Ashford, 6; Hartnett, 45

AN ACT relating to museums; to amend sections 51-502, 51-508, 51-509, and 51-512, Reissue Revised Statutes of Nebraska, 1943; to provide an exception to voter approval of the establishment and maintenance of a museum as prescribed; to change provisions relating to boards of public museums as prescribed; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 51-502, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-502. A city or village may establish and maintain a museum as provided by pursuant to sections 51-501 to 51-512 51-513 when approved by at least fifty-one percent of the votes cast at the election by the electors of the city or village voting on the proposition. Notwithstanding the provisions of any home rule charter to the contrary, any ~~PROVIDED~~ that any city or village that, prior to April 10, 1957, has which established a museum, such a prior to April 10, 1957, or any city or village contracting for the use of a museum already established shall not be required to hold an election to contract for or to establish and maintain such a museum for any term of years deemed necessary or advisable by such city or village. When the electors of a city or village approve the establishment establishing and the maintenance of a museum as provided by pursuant to sections 51-501 to 51-512 51-513, the city council or village board shall establish and maintain a museum as provided by sections 51-501 to 51-512 pursuant to such sections. Such a city or village shall appoint a museum board of not less than five but not more than nine members to be chosen from the citizens of the city or village at large. Except as further provided in this section, neither ~~of which board neither~~ the mayor nor any member of the city council or village board shall be a member of the museum board. The members of the museum board first appointed shall hold their office, one the first for a term of one year, one the second for a term

of two years, one the third for a term of three years, one the fourth for a term of four years, and one the fifth for a term of five years, the sixth member shall be for a term of one year, the seventh for a term of two years, the eighth for a term of three years, and the ninth for a term of four years from the first day of July following their appointment. As ; and as their terms expire, one trustee member shall be chosen annually thereafter for a term of five years. In cases of vacancies by resignation, removal, or otherwise, the city council or village board shall fill such vacancy for the unexpired term. Cities having home rule charters shall have the power to may fix by ordinance the number of members of such museum board. No trustee member shall receive any pay or compensation for any services rendered, as a member of the board. However, the city council of any city or the board of trustees of any village which is contracting for the use of a museum already established shall be the museum board and may establish the city council or board of trustees as the museum board without regard to the requirements for terms and numbers of members on the board set forth in this section.

Sec. 2. That section 51-508, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-508. Every museum supported by public tax shall be open to the use of the public, subject to such reasonable regulations and admission charges as the museum board may adopt to render such museum of the greatest use to the public. The board may exclude from the use of the museum any person who shall willfully violate or refuse to comply with rules and regulations established for the government thereof. The power of the museum board under this section may be exercised by the other contracting party as set forth in a contract which has been entered into by a city or village for the use of a museum already established.

Sec. 3. That section 51-509, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-509. Except where a contract is entered into for the use of a museum already established, the The museum board shall, on or before the second Monday in June in each year, make a report to the city council, village board, or to the county or township board as to the condition of its trust on June 1 of such year, showing all money received or expended and a general report on all its activities in the operation and

supervision of the museum and any information and suggestions it may deem of general interest, or as the city council, village, county, or township board may require. The report shall be in writing and verified by affidavit of the proper officers of such board.

Sec. 4. That section 51-512, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-512. The property of any public museum, including the museum property of a contracting party set forth in a contract with a city or village for the use of a museum already established, shall be exempt from execution and taxation, as is other public property.

Sec. 5. That original sections 51-502, 51-508, 51-509, and 51-512, Reissue Revised Statutes of Nebraska, 1943, are repealed.