

LEGISLATIVE BILL 750

Approved by the Governor May 8, 1993

Introduced by Fisher, 35; Bohlke, 33; Schmitt, 41; Wehrbein, 2

AN ACT relating to museums; to amend section 51-511, Reissue Revised Statutes of Nebraska, 1943; to change powers and duties of museum boards relating to sale of property; and to repeal the original section.

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

Section 1. That section 51-511, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-511. ~~The museum board may, by resolution, direct the sale and conveyance of any real estate or other property owned by the museum board or by the museum, which is not used for museum purposes, or of any real estate or other property so donated or devised to the museum board or to the museum upon such terms as the museum board deems best. Before any such sale is made the museum board shall advertise such sale for three weeks in a legal newspaper published or, if none is published, of general circulation in the city, village, county, or township in which the museum is situated, and such notice shall set out the time, place, terms, manner of sale, legal description of such real estate or other property, and the right to reject any and all bids. If such bid or bids have not been rejected, then the real estate or other property shall be sold to the highest bidder for cash, and the president of the board, upon resolution of the museum board directing him or her so to do, shall convey the real estate or other property to the purchaser thereof upon his or her payment of his or her bid therefor. If a remonstrance against such sale signed by thirty percent of the electors of such city, village, county, or township voting at the last regular city, village, county, or township election is filed with the governing body of such city, village, county, or township three or more days prior to the day set for sale, such property shall not then, nor within one year thereafter, be sold. The museum board may, by resolution of the majority of the board, direct the sale, conveyance, or disposition of any real estate or other property owned by the museum board or by the museum upon such terms and conditions as the museum board deems in the best interest of the museum, except that the provisions of this section shall not include any items or property subject to the Unmarked Human Burial Sites and Skeletal Remains Protection Act or the federal Native American Graves Protection and Repatriation Act, 25 U.S.C. 3001 et seq. The museum board shall properly document the sale, conveyance, or disposition of any real estate or other property, including a brief description of the real estate or other property, the disposition made, the name of the recipient of the real estate or other property, the amount tendered or a description and stated value~~

of real estate or other property received in exchange, and the date of the transaction. All funds derived from such sales shall be deposited in the museum fund and kept for use by the museum separate and apart from other funds of the city, village, county, or township as authorized by section 51-507.

Sec. 2. That original section 51-511, Reissue Revised Statutes of Nebraska, 1943, is repealed.