

AMENDMENTS TO LB926

Introduced by Aguilar, 35.

1 1. Strike original sections 1 and 2 and insert the following new
2 sections:

3 Section 1. Section 51-703, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 51-703 (1) In addition to any other information prescribed for a
6 particular notice, each notice given to the lender or claimant pursuant
7 to the Museum Property Act shall contain the following information:

8 (a) The lender's or claimant's name as appropriate;

9 (b) The lender's last-known address or the claimant's last-known
10 address as appropriate;

11 (c) A brief description of the property on loan;

12 (d) The date of the loan, if known;

13 (e) The name of the museum; and

14 (f) The name, address, and telephone number of the appropriate
15 person or office to be contacted regarding the property.

16 (2) Each notice given by a museum pursuant to the act shall be
17 mailed to the lender's and any claimant's last-known address by
18 restricted certified mail. Notice is deemed given if the museum receives
19 proof of receipt within thirty days after mailing the notice.

20 (3) Notice may be given by publication if the museum does not:

21 (a) Know the identity of the lender;

22 (b) Have the address or telephone number for the lender or the
23 address or telephone number for the claimant; or

24 (c) Receive proof of receipt of the notice by the person to whom the
25 notice was sent within thirty days after the notice was mailed.

26 (4) Notice by publication must be given by posting online on the
27 museum's website for a minimum of three consecutive weeks and by

1 ~~publication of a statement for one week at least once each week for three~~
2 ~~consecutive weeks~~ in a newspaper of general circulation in both the
3 county where the museum is located and the county of the lender's or
4 claimant's address, if any. The statement published in the newspaper must
5 contain (a) the museum's name and contact information, (b) notification
6 that the museum is acting to assert title, and (c) notification that
7 interested parties should contact the museum for a complete listing of
8 property to which the museum is asserting title.

9 Sec. 2. Section 51-705, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 51-705 Subject to any existing security interest in the property, a
12 museum may acquire title to undocumented property held by the museum for
13 at least seven years as follows:

14 (1) The museum must give notice as provided in subsection (3) of
15 section 51-703 that the museum is asserting title to the undocumented
16 property; and

17 ~~(2) The notice that the museum is asserting title to the property~~
18 ~~must include a statement containing substantially the following~~
19 ~~information:~~

20 ~~The records of (name of museum) fail to indicate the owner of record~~
21 ~~of certain property in its possession. The museum hereby asserts title to~~
22 ~~the following property: (general description of property). If you claim~~
23 ~~ownership or other legal interest in this property, you must contact the~~
24 ~~museum, establish ownership of the property, and make arrangements to~~
25 ~~collect the property. If you fail to do so within three years, you will~~
26 ~~be considered to have waived any claim you may have had to the property;~~
27 ~~and~~

28 (2) (3) If a claimant or lender does not respond to such the notice
29 provided in subdivision (2) of this section within one year three years
30 by giving a written notice of intent to retain an interest in the
31 property on loan, the museum's title to the property becomes absolute.