

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB926

Hearing Date: Monday February 12, 2024
Committee On: General Affairs
Introducer: Aguilar
One Liner: Change provisions relating to the Museum Property Act

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	7	Senators Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe
Nay:		
Absent:	1	Senator Raybould
Present Not Voting:		

Testimony:

Proponents:

Senator Raymond Aguilar
Lynne Friedewald
Christopher Hochstetler
Karen Keehr
Susan Weller

Representing:

Opening Presenter
Self
Nebraska Museum Association
Nebraska Museum Association
Self

Opponents:

Dennis DeRossett

Representing:

Nebraska Press Association

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 926 is a bill that proposes to modernize the method of communication museums in Nebraska use when notifying the public regarding undocumented items and unclaimed loans. The bill also makes changes to the length of time that must pass in order to respond to notice provided by the museum or bring an action to the museum for damages in the case of injury or loss of property loaned to the museum from three years down to one year.

The bill also proposes changing the timeframe to retain all records for at least 25 years, to meet the American Alliance of Museums required elements of collection's documentation and records. A state requirement of 25 years will help to guide those museums who may not have a Collections Management Policy.

Section 1: amends section 51-703 by allowing notice by publication in one of three ways, instead of the current one



way. This section changes the requirement of at least once each week for three consecutive weeks in a newspaper of general circulation in both the county where the museum is located and the county of the lender's or claimant's address to at least once each week for three consecutive weeks in just the county where the museum is located.

This section also adds two new ways for notice to be given legally, first by publication online on the museum's website for three consecutive weeks or by display in a public area of the museum for three consecutive weeks.

Section 2: amends section 51-705 to make it possible for a museum to acquire title to undocumented property held by the museum for at least seven years by shortening the time frame from three years to one year if a claimant or lender does not respond to the notice provided in subsection two (2) of this section of statute.

Section 3: amends section 51-708 by shortening the time frame an action cannot be brought against a museum for damages because of injury to or loss of property loaned to the museum to more than one year from the date the museum gives the lender or claimant notice of the injury or loss, instead of three years as is currently in statute.

This change will allow a claimant to bring an action for damages against the museum one year from the date they received notice of the damages, instead of having to wait three years to bring the action for damages.

This section also provides that an action cannot be brought against a museum to recover property on loan more than one (1) year from the date of the last written contract between the lender or claimant and the museum, based on the museum's records. The time frame in statute currently is seven (7) years.

Section 4: amends section 51-709 by requiring the museum to retain all written records regarding the property they are taking title to for at least twenty-five (25) years after the date of taking title, instead of three (3) as is currently required in statute.

Section 5: is the repealer section. No sections are outright repealed.

John Lowe, Chairperson

