

AMENDMENTS TO LB 57

(Amendments to Standing Committee amendments, AM676)

Introduced by Schilz

1 1. On page 1, strike lines 17 through 23 and insert the
2 following new subsection:

3 "(8) The board shall require, in the contract between
4 the board and a nonpublic grantee, that such grantee not sell,
5 transfer, exchange, or encumber any portion or all of the real
6 property acquired by such grantee in whole or in part by trust
7 funds without the prior written approval of the board, which
8 approval shall not be unreasonably withheld. Such grantee shall
9 provide the board in writing the details of any proposed sale,
10 transfer, exchange, or encumbrance of the real property at least
11 thirty days in advance of the next scheduled board meeting and
12 obtain written approval of the board prior to executing any
13 such transaction. If the board does not provide written approval
14 of the sale, transfer, exchange, or encumbrance, such grantee
15 may repay the value of the grant to the trust in order to
16 be released from all further obligations. If the board provides
17 written approval of a sale, transfer, or exchange, the real
18 property shall be released from any further restrictions regarding
19 its sale, transfer, exchange, or encumbrance.

20 The board shall require, in the contract between the
21 board and such grantee, (a) that such grantee provide the board,
22 in advance of the distribution of trust funds, with written

1 confirmation on behalf of any financial institution that is to
2 provide such grantee with a portion of the funds for purchase of
3 real property to be acquired by such grantee in part by trust
4 funds, acknowledging that such grantee may not sell, transfer,
5 exchange, or encumber any portion or all of the real property,
6 without the written approval of the board and (b) that the deed
7 or other instrument conveying title to real property acquired by
8 such grantee in whole or in part by trust funds shall contain
9 express provisions stating that the grantee may not sell, transfer,
10 exchange, or encumber any portion or all of such real property
11 without the prior written approval of the board. Failure of such
12 deed or other instrument to contain the required statement shall
13 allow such grantee to sell, transfer, exchange, or encumber any
14 portion or all of the real property without having to obtain prior
15 written approval of the board."

16 2. On page 2, strike line 1.