

2020 Regular Session

HOUSE BILL NO. 213

BY REPRESENTATIVE MIGUEZ

MUSEUMS: Provides relative to the Louisiana Military Hall of Fame and Museum

1 AN ACT

2 To repeal Chapter 5-P of Title 25 of the Louisiana Revised Statutes of 1950, comprised of
3 R.S. 25:380.131 through 380.136, and R.S. 36:744(AA) and 801.20, relative to the
4 Louisiana Military Hall of Fame and Museum, to remove the museum from the
5 jurisdiction of the Department of State and to delete all statutory provisions relative
6 to such museum and its governing board; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 5-P of Title 25 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 25:380.131 through 380.136, and R.S. 36:744(AA) and 801.20 are hereby
10 repealed in their entirety.

11 Section 2. This Act shall become effective upon signature by the governor or, if not
12 signed by the governor, upon expiration of the time for bills to become law without signature
13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
15 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 213 Engrossed

2020 Regular Session

Miguez

Abstract: Repeals provisions that establish the La. Military Hall of Fame and Museum within the Dept. of State.

Present law establishes the La. Military Hall of Fame and Museum in Abbeville within the Dept. of State (department). Creates and provides for a board of directors of the museum comprised of 13 voting members, seven of whom are appointed by the secretary of state and six of whom are elected by members of the Friends of the La. Hall of Fame and Museum. Provides further with respect to board membership.

Present law requires the board to:

- (1) Meet at least quarterly.
- (2) Call special meetings if directed by a written notice from the president or by a majority of the directors or executive committee.
- (3) Establish policies, rules, and regulations relative to operation of the museum.
- (4) Advise the secretary of state regarding the museum.
- (5) Establish and use a seal.

Present law authorizes the board to:

- (1) Elect or appoint any person to act in an advisory capacity or as an advisory board.
- (2) Form an executive committee or other additional committees as the board determines.
- (3) Individually or in cooperation with any nonprofit corporation established to support the museum, seek and expend funds to support programs of the museum.
- (4) Contract with consulting experts in the fields of museum administration and conservation and other such persons.
- (5) Authorize reports and recommendations, including the publication and issuance of newsletters.

Present law authorizes the department to include in its annual budget request a request for funds sufficient to support the museum. Requires that funds appropriated for operation of the museum be used for such purpose and in accordance with the budget plan developed by the board. Prohibits the department from charging any administrative costs associated with placing the museum within the department.

Present law authorizes the department and the board to solicit funds and property either as loans or donations and provides with respect thereto. Authorizes the museum to serve as the beneficiary of any public trust created for such purpose. Grants the board authority of deaccession with respect to any collection of the museum, and in case of such deaccessions, exempts the board from present law relative to sale or disposal of surplus property. Requires board policies and procedures to carry out such authority.

Present law provides that the board exercises all powers, duties, functions, and responsibilities provided for or authorized by law in the nature of policymaking, rulemaking, regulation, enforcement, or adjudication and all advisory powers, duties, and functions provided by law. Further provides that the board, with the approval of the secretary of state, employs, appoints, fixes the compensation of, removes, assigns, and promotes such personnel as is necessary for the efficient administration of its powers, duties, functions, and responsibilities in accordance with civil service laws, rules, and regulations. Provides that the secretary of state shall be responsible for and shall have the authority to transfer or implement any or all functions in the nature of accounting, payroll, budget control, procurement, data processing, and personnel management.

Proposed law repeals present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Repeals R.S. 25:380.131-136 and R.S. 36:744(AA) and 801.20)