

2020 Regular Session

SENATE BILL NO. 104

BY SENATOR MILLIGAN

MUSEUMS. Provides for board membership and authority of certain state museums.
(gov sig)

1 AN ACT
2 To amend and reenact R.S. 25:374(A)(1), 379.2(B) and (C)(3), 379.3(C), 380.1(C)(2) and
3 (D), 380.2(B) and (C), 380.22(C) and (D), 380.23(B) and (C), 380.52(C) and (E),
4 380.53(B) and (C), 380.82(C) and (E), 380.83(B) and (C), 380.92(C) and (E),
5 380.93(B) and (C), 380.132(C), 380.133(B) and (C), 380.152(C) and (E), and
6 380.153(B) and (C), and R.S. 36:801.6, 801.7, 801.9, 801.12, 801.15, 801.16,
7 801.20, and 801.22, to enact R.S. 25:379.7, 380.6, 380.27, 380.57, 380.87, 380.97,
8 380.137, and 380.157, and to repeal R.S. 25:379.2(C)(4), relative to museums; to
9 provide for meetings and membership of certain museum governing boards; to
10 provide for authority of each governing board; to authorize the secretary of state to
11 establish policies, rules, and regulations for the operation of each museum; and to
12 provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 25:374(A)(1), 379.2(B) and (C)(3), 379.3(C), 380.1(C)(2) and (D),
15 380.2(B) and (C), 380.22(C) and (D), 380.23(B) and (C), 380.52(C) and (E), 380.53(B) and
16 (C), 380.82(C) and (E), 380.83(B) and (C), 380.92(C) and (E), and 380.93(B) and (C),
17 380.132(C), 380.133(B) and (C), 380.152(C) and (E), and 380.153(B) and (C) are hereby

1 amended and reenacted and R.S. 25:379.7, 380.6, 380.27, 380.57, 380.87, 380.97, 380.137,
2 and 380.157 are hereby enacted to read as follows:

3 §374. Domicile; powers and duties of the board

4 A.(1) The board shall meet ~~once each quarter~~ **at least three times a year**,
5 unless additional meetings are called by the secretary of state ~~or the governor~~.

6 * * *

7 §379.2. Duties and powers of the board

8 * * *

9 B. The board shall:

10 (1) Meet at least ~~once each quarter~~ **three times a year** at the call of the board
11 chairman.

12 (2)(a) Create an executive committee consisting of the chairman and vice
13 chairman of the board and other board members as the board may determine.

14 (b) A majority of the members of the committee shall constitute a quorum for
15 the transaction of business. However, when the board has delegated to the committee
16 full power to act with respect to a matter, affirmative action by a majority of the
17 entire committee membership shall be required.

18 (c) The committee shall meet at least monthly, except in those months in
19 which the board meets, or at the call of the chairman.

20 (d) The committee shall consider such matters as are referred to it by the
21 board. It shall execute such orders and resolutions as shall be assigned to it at any
22 meeting of the board, and it shall also take such action as is necessary when an
23 emergency requiring immediate action arises during the interim between board
24 meetings. All acts of the committee shall be submitted to the board for ratification
25 or rejection at its next meeting except in matters in which the board has delegated to
26 the committee full power to act.

27 (3) Adopt bylaws ~~and establish policies and procedures for the museum's~~
28 **governance**, including but not limited to the following:

29 (a) The election and responsibilities of the officers of the board, including a

1 chairman and vice chairman to serve terms of two years.

2 (b) The selection, ~~term, compensation,~~ and responsibilities of advisors to the
3 board.

4 (c) ~~The employment, term, compensation, and responsibilities of a museum~~
5 ~~chief administrative officer.~~

6 (d) ~~The employment, term, compensation, and responsibilities of a museum~~
7 ~~director. The director shall have at least five years of experience in institutional~~
8 ~~administration and curatorship or possess a doctorate degree in a field related to the~~
9 ~~purposes and activities of the museum. The museum director may also serve as the~~
10 ~~museum chief administrative officer.~~

11 (e) The appointment, duties, and functions of standing and special
12 committees of the board, including the appointment of nonboard members to such
13 committees and their functions.

14 (f)(d) The preparation of a budget and plan for funding sufficient to maintain
15 standards necessary to qualify for and maintain the accreditation of the American
16 Association of Museums.

17 (4) ~~Establish policies, rules, and regulations for the operation of the museum~~
18 ~~in accordance with the Administrative Procedure Act, including setting and charging~~
19 ~~admission and tour fees and user or rental fees to any or all museum buildings and~~
20 ~~exhibits, and such user or rental fees shall reflect the actual costs of maintenance of~~
21 ~~the space rented and the market rates for comparable space in the locality of the~~
22 ~~space rented.~~

23 (5) Advise the secretary of state on all matters relating to the operations of
24 the Louisiana State Exhibit Museum and shall have such other functions as are
25 otherwise provided in this Chapter and R.S. 36:801.6.

26 (6)(5) Establish and use an identifying seal pertaining to museum business.

27 C. The board may:

28 * * *

29 (3) ~~Contract with consulting experts in the fields of museum administration~~

1 ~~and~~ **for the** conservation of paintings, books and papers, and other decorative arts;
 2 ~~and with appraisers, buying agents, designers, engineers, attorneys, accountants,~~
 3 ~~construction and financial experts, and other such persons as may be necessary to~~
 4 ~~carry out the purposes~~ **for the accession and deaccession of artifacts, and for the**
 5 **accreditation** of the museum.

6 §379.3. The Louisiana State Exhibit Museum, administration; Department of State,
 7 powers and functions

8 * * *

9 C. Notwithstanding any provision of the law to the contrary, and in particular
 10 the provisions of R.S. 41:1212, the board may enter into contracts and agreements
 11 with any public agency or nonprofit corporation which has been established for the
 12 primary purpose of supporting the programs and activities of the Louisiana State
 13 Exhibit Museum, including the Friends of the Louisiana State Exhibit Museum, for
 14 the establishment of ~~offices, stores, or exhibits~~ on the property of and in the
 15 Louisiana State Exhibit Museum. ~~The board may enter into contracts and agreements~~
 16 ~~for joint construction, equipment, maintenance, and financing thereof, and may enter~~
 17 ~~into contracts and agreements for the joint financing, supervision, and conduct of~~
 18 ~~cooperative enterprises and undertakings.~~ Any public agency may enter into
 19 contracts and agreements with the board for the purposes mentioned in this
 20 Subsection.

21 * * *

22 **§379.7. Secretary of state; rules and regulations**

23 **The secretary of state may adopt policies, rules, and regulations for the**
 24 **operation of the museum in accordance with the Administrative Procedure Act.**

25 * * *

26 §380.1. Governing board; creation; domicile; appointment and compensation of
 27 members

28 * * *

29 C.(1) * * *

1 (2) The board shall be composed ~~and the members selected as follows~~ of the
2 following members:

3 (a) Five members shall be appointed by the secretary of state from a list of
4 ten names submitted and nominated by the legislative delegation from the parishes
5 of East Carroll, West Carroll, Madison, Franklin, Richland, Morehouse, Ouachita,
6 Tensas, Caldwell, and Concordia ~~to serve four-year terms~~ from an area composed of
7 the following parishes: East Carroll, West Carroll, Madison, Franklin, Richland,
8 Morehouse, Ouachita, Tensas, Caldwell, and Concordia.

9 ~~(b) One member shall be appointed by the secretary of state to serve a~~
10 ~~two-year term from among the members of the Cotton Producers Association.~~

11 ~~(c) Five~~ **Six** members shall be appointed by the secretary of state ~~to serve~~
12 ~~four-year terms~~ from a list of ten names submitted and nominated by the Friends of
13 the Louisiana State Cotton Museum.

14 ~~(d)~~**(c)** The secretary of state or his designee, ~~and~~ **shall serve as a member.**

15 ~~(d)the~~ **The** museum chief administrative officer and the museum director, if
16 any, shall each be an ex officio member of the board.

17 ~~(e) The commissioner of agriculture and forestry, or his designee.~~

18 ~~(f) One member shall be appointed by the secretary of state to serve a~~
19 ~~two-year term from the members of the cotton division of the Louisiana Farm~~
20 ~~Bureau.~~

21 D. Each appointed member shall be confirmed by the Senate and ~~those~~
22 ~~members serving four-year terms~~ shall serve ~~terms~~ **a term** concurrent with the
23 ~~governor~~ **secretary of state**. Each member shall serve until his successor is
24 appointed and takes office.

25 * * *

26 §380.2. Duties and powers of the board

27 * * *

28 B. The board shall:

29 (1) Meet at least ~~once each quarter~~ **three times a year** at the call of the board

1 chairman.

2 (2)(a) Create an executive committee consisting of the chairman and vice
3 chairman of the board and other board members as the board may determine.

4 (b) A majority of the members of the committee shall constitute a quorum for
5 the transaction of business. However, when the board has delegated to the committee
6 full power to act with respect to a matter, affirmative action by a majority of the
7 entire committee membership shall be required.

8 (c) The committee shall meet at least quarterly, except in those months in
9 which the board meets, or at the call of the chairman.

10 (d) The committee shall consider such matters as are referred to it by the
11 board. It shall execute such orders and resolutions as shall be assigned to it at any
12 meeting of the board, and it shall also take such action as is necessary when an
13 emergency requiring immediate action arises during the interim between board
14 meetings. All acts of the committee shall be submitted to the board for ratification
15 or rejection at its next meeting except in matters in which the board has delegated to
16 the committee full power to act.

17 (3) Adopt bylaws ~~and establish policies and procedures for the museum's~~
18 ~~governance~~, including but not limited to the following:

19 (a) The election and responsibilities of the officers of the board, including a
20 chairman and vice chairman to serve terms of two years.

21 (b) The selection, ~~term, compensation,~~ and responsibilities of advisors to the
22 board.

23 (c) ~~The employment, term, compensation, and responsibilities of a museum~~
24 ~~chief administrative officer.~~

25 (d) ~~The employment, term, compensation, and responsibilities of a museum~~
26 ~~director. The director shall have at least five years of experience in institutional~~
27 ~~administration and curatorship and possess a doctorate degree in a field related to the~~
28 ~~purposes and activities of the museum. The museum director may also serve as the~~
29 ~~museum chief administrative officer.~~

1 ~~(e)~~ The appointment, duties, and functions of standing and special
2 committees of the board, including the appointment of nonboard members to such
3 committees and their functions.

4 ~~(f)~~(d) The preparation of a budget and plan for funding sufficient to maintain
5 standards necessary to qualify for and maintain the accreditation of the American
6 Association of Museums.

7 ~~(4) Establish policies, rules, and regulations for the operation of the museum~~
8 ~~in accordance with the Administrative Procedure Act, including setting and charging~~
9 ~~admission and tour fees and user or rental fees to any or all museum buildings and~~
10 ~~exhibits, and such user or rental fees shall reflect the actual costs of maintenance of~~
11 ~~the space rented and the market rates for comparable space in the locality of the~~
12 ~~space rented.~~

13 ~~(5)~~ Advise the secretary of state on all matters relating to the operations of
14 the Louisiana State Cotton Museum and shall have such other functions as are
15 otherwise provided in this Chapter and R.S. 36:801.7.

16 ~~(6)~~(5) Establish and use an identifying seal pertaining to museum business.

17 C. The board may:

18 (1) Individually, or in cooperation with any nonprofit corporation established
19 to support the Louisiana State Cotton Museum, seek and expend funds from any
20 source, public or private, to support programs of the museum.

21 (2) Hold meetings in any of the parishes named in R.S. 25:380.1(C)(2)(a) as
22 directed by the executive committee.

23 ~~(3) Contract with consulting experts in the fields of museum administration~~
24 ~~and conservation of painting, books and papers, and other decorative arts, and with~~
25 ~~appraisers, buying agents, designers, engineers, attorneys, accountants, construction~~
26 ~~and financial experts, and other such persons as may be necessary to carry out the~~
27 ~~purposes of the museum.~~

28 ~~(4) Authorize reports and recommendations which include the issuance,~~
29 ~~publication, or distribution of general information documents or pamphlets, which~~

1 are published on a regular basis and are generally known as newsletters.

2 * * *

3 §380.6. Secretary of state; rules and regulations

4 The secretary of state may adopt policies, rules, and regulations for the
5 operation of the museum in accordance with the Administrative Procedure Act.

6 * * *

7 §380.22. Governing board; creation; domicile; appointment and compensation of
8 members

9 * * *

10 C.(1) The board shall be composed of members who all have a knowledge
11 of and an interest in oil and oil production.

12 (2) The board shall be composed ~~and the members selected as follows~~ of the
13 following members:

14 (a) ~~One member shall be appointed by the secretary of state, to serve a~~
15 ~~two-year term, from among the members of the Louisiana Independent Oil Producers~~
16 ~~Association.~~

17 (b) ~~Ten~~ **Eleven** members shall be appointed by the secretary of state, ~~to serve~~
18 ~~four-year terms,~~ from a list of fifteen names submitted by the Caddo Pine Island Oil
19 and Historical Society.

20 **(b) The secretary of state or his designee shall serve as a member.**

21 (c) ~~The state archivist or his designee, the museum director, and the museum~~
22 ~~chief administrative officer, if any, shall each be an ex officio member of the board.~~

23 (d) ~~The secretary of the Department of Natural Resources or his designee~~
24 ~~shall be an ex officio member of the board.~~

25 D. Each appointed member shall be confirmed by the Senate and ~~those~~
26 ~~members serving four-year terms~~ shall serve ~~terms~~ **a term** concurrent with ~~the~~
27 ~~governor~~ **the secretary of state.** Each member shall serve until his successor is
28 appointed and takes office.

29 * * *

1 §380.23. Duties and powers of the board

2 * * *

3 B. The board shall:

4 (1) Meet at least ~~once each quarter~~ **three times a year** at the call of the board
5 chairman.

6 (2)(a) Create an executive committee consisting of the chairman and vice
7 chairman of the board and other board members as the board may determine.

8 (b) A majority of the members of the committee shall constitute a quorum for
9 the transaction of business. However, when the board has delegated to the committee
10 full power to act with respect to a matter, affirmative action by a majority of the
11 entire committee membership shall be required.

12 (c) The committee shall meet at the call of the chairman.

13 (d) The committee shall consider such matters as are referred to it by the
14 board. It shall execute such orders and resolutions as shall be assigned to it at any
15 meeting of the board, and it shall also take such action as is necessary when an
16 emergency requiring immediate action arises during the interim between board
17 meetings. All acts of the committee shall be submitted to the board for ratification
18 or rejection at its next meeting except in matters in which the board has delegated to
19 the committee full power to act.

20 (3) Adopt bylaws ~~and establish policies and procedures for the museum's~~
21 ~~governance,~~ including but not limited to the following:

22 (a) The election and responsibilities of the officers of the board, including a
23 chairman and vice chairman, who shall serve terms of two years.

24 (b) The selection, ~~term,~~ and responsibilities of advisors to the board. The
25 board may appoint not more than five advisors who shall serve without
26 compensation.

27 (c) ~~The employment, term, compensation, and responsibilities of a museum~~
28 ~~chief administrative officer.~~

29 (d) ~~The employment, term, compensation, and responsibilities of a museum~~

1 ~~director. The museum director may also serve as the museum chief administrative~~
 2 ~~officer.~~

3 ~~(e)~~ The appointment, duties, and functions of standing and special
 4 committees of the board including the appointment of nonboard members to such
 5 committees and their functions.

6 ~~(f)~~(d) The preparation of a budget and plan for funding the museum at a level
 7 sufficient to maintain standards necessary to qualify for and maintain the
 8 accreditation of the American Association of Museums.

9 ~~(4)~~ Establish, ~~in accordance with the Administrative Procedure Act, R.S.~~
 10 ~~49:950 et seq., policies, rules, and regulations for the operation of the museum~~
 11 ~~including setting and charging admission and tour fees and user or rental fees to any~~
 12 ~~or all museum buildings and exhibits. Such user or rental fees shall reflect the actual~~
 13 ~~costs of maintenance of the space rented and the market rates for comparable space~~
 14 ~~in the locality of the space rented.~~

15 ~~(5)~~ Advise the secretary of state on all matters relating to the operations of
 16 the Louisiana State Oil and Gas Museum.

17 ~~(6)~~(5) Establish and use an identifying seal pertaining to museum business.

18 ~~(7)~~(6) Perform such other functions as are otherwise provided in this Chapter
 19 and R.S. 36:801.9.

20 C. The board may:

21 ~~(1)~~ ~~Individually~~ **individually**, or in cooperation with any nonprofit
 22 corporation established to support the Louisiana State Oil and Gas Museum, seek
 23 and expend funds from any source, public or private, to support programs of the
 24 museum.

25 ~~(2)~~ ~~Contract with consulting experts in the fields of museum administration~~
 26 ~~and conservation of artifacts, books and papers, and decorative arts, and with~~
 27 ~~appraisers, buying agents, designers, engineers, attorneys, accountants, construction~~
 28 ~~and financial experts, and other such persons as may be necessary to carry out the~~
 29 ~~purposes of the museum.~~

1 B. The board shall:

2 (1) Meet at least ~~once each quarter~~ **three times a year** at the call of the board
3 chairman.

4 (2)(a) Create an executive committee consisting of the chairman and vice
5 chairman of the board and other board members as the board may determine.

6 (b) A majority of the members of the committee shall constitute a quorum for
7 the transaction of business. However, when the board has delegated to the committee
8 full power to act with respect to a matter, affirmative action by a majority of the
9 entire committee membership shall be required.

10 (c) The committee shall meet at the call of the board chairman.

11 (d) The committee shall consider such matters as are referred to it by the
12 board. It shall execute such orders and resolutions as shall be assigned to it at any
13 meeting of the board, and it shall also take such action as is necessary when an
14 emergency requiring immediate action arises during the interim between board
15 meetings. All acts of the committee shall be submitted to the board for ratification
16 or rejection at its next meeting except in matters in which the board has delegated to
17 the committee full power to act.

18 (3) Adopt bylaws ~~and establish policies and procedures for the museum's~~
19 ~~governance,~~ including but not limited to the following:

20 (a) The election and responsibilities of the officers of the board, including a
21 chairman and vice chairman, who shall serve terms of two years.

22 (b) The selection, ~~term,~~ and responsibilities of advisors to the board. The
23 board may appoint not more than five advisors who shall serve without
24 compensation.

25 (c) ~~The employment, term, compensation, and responsibilities of a museum~~
26 ~~chief administrative officer.~~

27 (d) ~~The employment, term, compensation, and responsibilities of a museum~~
28 ~~director. The museum director may also serve as the museum chief administrative~~
29 ~~officer.~~

1 operation of the museum in accordance with the Administrative Procedure Act.

2 * * *

3 §380.82. Governing board; creation; domicile; appointment and compensation of
4 members

5 * * *

6 C. The board shall be comprised of ~~thirteen members who have a knowledge~~
7 ~~of and an interest in historical preservation and the history of the Tioga area and~~
8 ~~surrounding communities and who shall be appointed as follows~~ the following
9 members:

10 (1) ~~Five~~ **Eleven** members shall be appointed by the secretary of state ~~to serve~~
11 ~~terms concurrent with the appointing authority.~~

12 (2) ~~Eight members shall be appointed by the secretary of state from a list of~~
13 ~~nominees provided by the governing authority of the Tioga Historical Society, Inc.~~
14 ~~The initial terms of members appointed pursuant to this Paragraph shall terminate~~
15 ~~on July 1, 2006, and all subsequent terms shall be four years.~~ The secretary of state
16 or his designee shall serve as a member.

17 * * *

18 E. Each ~~appointment made by the secretary of state~~ **appointed member** shall
19 ~~be subject to confirmation~~ **confirmed** by the Senate.

20 * * *

21 §380.83. Duties and powers of the board

22 * * *

23 B. The board shall:

24 (1) Meet at least ~~once each quarter~~ **three times a year** at the call of the board
25 chairman.

26 (2)(a) Create an executive committee consisting of the chairman and vice
27 chairman of the board and other board members as the board may determine.

28 (b) A majority of the members of the committee shall constitute a quorum for
29 the transaction of business. However, when the board has delegated to the committee

1 full power to act with respect to a matter, affirmative action by a majority of the
2 entire committee membership shall be required.

3 (c) The committee shall meet at the call of the board chairman.

4 (d) The committee shall consider such matters as are referred to it by the
5 board. It shall execute such orders and resolutions as shall be assigned to it at any
6 meeting of the board, and it shall also take such action as is necessary when an
7 emergency requiring immediate action arises during the interim between board
8 meetings. All acts of the committee shall be submitted to the board for ratification
9 or rejection at its next meeting except in matters in which the board has delegated to
10 the committee full power to act.

11 (3) Adopt bylaws ~~and establish policies and procedures for the governance~~
12 ~~of the museum,~~ including but not limited to the following:

13 (a) The election and responsibilities of the officers of the board, including a
14 chairman and vice chairman, who shall serve terms of two years.

15 (b) The selection, ~~term,~~ and responsibilities of advisors to the board. The
16 board may appoint not more than five advisors who shall serve without
17 compensation.

18 (c) ~~The employment, term, compensation, and responsibilities of a museum~~
19 ~~chief administrative officer.~~

20 (d) ~~The employment, term, compensation, and responsibilities of a museum~~
21 ~~director. The museum director may also serve as the museum chief administrative~~
22 ~~officer.~~

23 (e) The appointment, duties, and functions of standing and special
24 committees of the board, including the appointment of nonboard members to such
25 committees and their functions.

26 ~~(f)~~**(d)** The preparation of a budget and plan for funding the museum at a level
27 sufficient to maintain standards necessary to qualify for and maintain the
28 accreditation of the American Association of Museums.

29 (4) ~~Establish, in accordance with the Administrative Procedure Act, R.S.~~

1 ~~49:950 et seq., policies, rules, and regulations for the operation of the museum,~~
2 ~~including setting and charging admission and tour fees and user or rental fees to any~~
3 ~~or all museum buildings and exhibits. Such user or rental fees shall reflect the actual~~
4 ~~costs of maintenance of the space rented and the market rates for comparable space~~
5 ~~in the locality of the space rented.~~

6 (5) Advise the secretary of state on all matters relating to the operations of
7 the museum.

8 ~~(6)~~(5) Establish and use an identifying seal pertaining to museum business.

9 ~~(7)~~(6) Perform such other functions as are otherwise provided by this Chapter
10 and R.S. 36:801.15.

11 C. The board may:

12 (1) ~~Individually~~ **individually**, or in cooperation with any nonprofit
13 corporation established to support the museum, seek and expend funds from any
14 source, public or private, to support programs of the museum.

15 (2) ~~Contract with consulting experts in the fields of museum administration~~
16 ~~and conservation of artifacts, books and papers, and decorative arts, and with~~
17 ~~appraisers, buying agents, designers, engineers, attorneys, accountants, construction~~
18 ~~and financial experts, and other such persons as may be necessary to carry out the~~
19 ~~purposes of the museum.~~

20 (3) ~~Authorize reports and recommendations which include the issuance,~~
21 ~~publication, or distribution of general information documents or pamphlets which are~~
22 ~~published on a regular basis and are generally known as newsletters.~~

23 * * *

24 **§380.87. Secretary of state; rules and regulations**

25 **The secretary of state may adopt policies, rules, and regulations for the**
26 **operation of the museum in accordance with the Administrative Procedure Act.**

27 * * *

28 §380.92. Governing board; creation; domicile; appointment and compensation of
29 members

* * *

C. The board shall be comprised of twelve members who have a knowledge of and an interest in the history of women's education in northwest Louisiana and the DeSoto Parish area in particular and who shall be appointed as follows:

(1) Five members shall be appointed by the secretary of state ~~to serve four-year terms concurrent with the governor.~~

~~(2) Four members shall be appointed by the secretary of state from a list of nominees provided by the Friends of the Mansfield Female College Museum. The initial terms of members appointed pursuant to this Paragraph shall terminate on July 1, 2004, and all subsequent terms shall be four years.~~

~~(3) Three~~ **(2) Six** members shall be appointed by the secretary of state. ~~The initial terms of members appointed pursuant to this Paragraph shall terminate on January 14, 2008, and all subsequent terms shall be four-year terms concurrent with the governor.~~

(3) The secretary of state or his designee shall serve as a member.

* * *

E. Each ~~appointment made by the secretary of state~~ **appointed member** shall be ~~subject to confirmation~~ **confirmed** by the Senate **and shall serve a term concurrent with the secretary of state.**

* * *

§380.93. Duties and powers of the board

* * *

B. The board shall:

(1) Meet at least ~~once each quarter~~ **three times a year** at the call of the board chairman.

(2)(a) Create an executive committee consisting of the chairman and vice chairman of the board and other board members as the board may determine.

(b) A majority of the members of the committee shall constitute a quorum for the transaction of business. However, when the board has delegated to the committee

1 full power to act with respect to a matter, affirmative action by a majority of the
2 entire committee membership shall be required.

3 (c) The committee shall meet at the call of the board chairman.

4 (d) The committee shall consider such matters as are referred to it by the
5 board. It shall execute such orders and resolutions as shall be assigned to it at any
6 meeting of the board, and it shall also take such action as is necessary when an
7 emergency requiring immediate action arises during the interim between board
8 meetings. All acts of the committee shall be submitted to the board for ratification
9 or rejection at its next meeting except in matters in which the board has delegated to
10 the committee full power to act.

11 (3) Adopt bylaws ~~and establish policies and procedures for the museum's~~
12 ~~governance,~~ including but not limited to the following:

13 (a) The election and responsibilities of the officers of the board, including a
14 chairman and vice chairman, who shall serve terms of two years.

15 (b) The selection, term, and responsibilities of advisors to the board. The
16 board may appoint not more than five advisors who shall serve without
17 compensation.

18 (c) ~~The employment, term, compensation, and responsibilities of a museum~~
19 ~~chief administrative officer.~~

20 (d) ~~The employment, term, compensation, and responsibilities of a museum~~
21 ~~director. The museum director may also serve as the museum chief administrative~~
22 ~~officer.~~

23 (e) The appointment, duties, and functions of standing and special
24 committees of the board, including the appointment of nonboard members to such
25 committees and their functions.

26 ~~(f)~~**(d)** The preparation of a budget and plan for funding the museum at a level
27 sufficient to maintain standards necessary to qualify for and maintain the
28 accreditation of the American Association of Museums.

29 (4) ~~Establish, in accordance with the Administrative Procedure Act, policies,~~

1 ~~rules, and regulations for the operation of the museum, including setting and~~
2 ~~charging admission and tour fees and user or rental fees to any or all museum~~
3 ~~buildings and exhibits. Such user or rental fees shall reflect the actual costs of~~
4 ~~maintenance of the space rented and the market rates for comparable space in the~~
5 ~~locality of the space rented.~~

6 (5) Advise the secretary of state on all matters relating to the operations of
7 the Mansfield Female College Museum.

8 ~~(6)~~(5) Establish and use an identifying seal pertaining to museum business.

9 ~~(7)~~(6) Perform such other functions as are otherwise provided by this Chapter
10 and R.S. 36:801.16.

11 C. The board may:

12 (1) ~~Individually~~ **individually**, or in cooperation with any nonprofit
13 corporation established to support the Mansfield Female College Museum, seek and
14 expend funds from any source, public or private, to support programs of the museum.

15 (2) ~~Contract with consulting experts in the fields of museum administration~~
16 ~~and conservation of artifacts, pictures and photographs, books and papers, and~~
17 ~~decorative arts, and with appraisers, buying agents, designers, engineers, attorneys,~~
18 ~~accountants, construction and financial experts, and other such persons as may be~~
19 ~~necessary to carry out the purposes of the museum.~~

20 (3) ~~Authorize reports and recommendations which include the issuance,~~
21 ~~publication, or distribution of general information documents or pamphlets which are~~
22 ~~published on a regular basis and are generally known as newsletters.~~

23 * * *

24 **§380.97. Secretary of state; rules and regulations**

25 **The secretary of state may adopt policies, rules, and regulations for the**
26 **operation of the museum in accordance with the Administrative Procedure Act.**

27 * * *

28 §380.132. Governing board; creation; domicile; appointment and compensation of
29 members

* * *

C. The board shall be comprised ~~as follows~~ **of the following members**:

(1) ~~Seven~~ **Five** members shall be appointed by the secretary of state ~~and six members shall be elected~~ **from a list of nominees submitted** by the Friends of the Louisiana Military Hall of Fame and Museum. ~~The speaker of the Louisiana House of Representatives, the president of the Louisiana Senate, and the secretary of state or their designees shall serve as nonvoting members of the board.~~

(2) ~~All members shall serve four-year terms concurrent with the governor.~~

Six members shall be appointed by the secretary of state.

(3) The secretary of state or his designee shall serve as a member.

~~(3)~~**(4)** Each member shall serve until his successor is appointed and takes office.

~~(4)~~**(5)** Each ~~appointment~~ **appointed member** shall be subject to confirmation **confirmed** by the Senate **and shall serve a term concurrent with the secretary of state.**

~~(5)~~**(6)** Members of the board shall serve without compensation.

§380.133. Duties and powers of the board

* * *

B. The board shall:

(1) Meet at least ~~quarterly~~ **three times a year** at a place determined by a majority of the board with at least five ~~days~~ **days'** notice of the time, date, and place of each meeting given to each member of the board.

(2) At any time, call special meetings of the board of directors if a written notice is signed by the president or by a majority of the directors or executive committee.

(3) ~~Establish, in accordance with the Administrative Procedure Act, policies, rules, and regulations for the operation of the museum, including setting and charging admission and tour fees and user or rental fees to any or all museum buildings and exhibits. Such user or rental fees shall reflect the actual costs of~~

1 ~~maintenance of the space rented and the market rates for comparable space in the~~
2 ~~locality of the space rented.~~

3 (4) Advise the secretary of state on all matters relating to the operations of
4 the Louisiana Military Hall of Fame and Museum.

5 ~~(5)~~(4) Establish and use an identifying seal pertaining to museum business.

6 ~~(6)~~(5) Perform such other functions as are otherwise provided by this Chapter
7 and R.S. 36:801.20.

8 C. The board may:

9 (1) Elect or appoint any person to act in an advisory capacity or any persons
10 to an advisory board. Persons serving in such advisory capacity shall not exercise
11 any of the powers granted to the board of directors.

12 (2) Form an executive committee ~~and/or~~ or other additional committees, each
13 with its own officers, powers, and duties as the board may determine.

14 (3) Individually, or in cooperation with any nonprofit corporation established
15 to support the Louisiana Military Hall of Fame and Museum, seek and expend funds
16 from any source, public or private, to support programs of the museum.

17 ~~(4) Contract with consulting experts in the fields of museum administration~~
18 ~~and conservation of artifacts, audio and video recordings, motion picture films,~~
19 ~~books and papers, and decorative arts, and with appraisers, buying agents, designers,~~
20 ~~engineers, attorneys, accountants, construction and financial experts, and other such~~
21 ~~persons as may be necessary to carry out the purposes of the museum.~~

22 ~~(5) Authorize reports and recommendations which include the issuance,~~
23 ~~publication, or distribution of general information documents or pamphlets which are~~
24 ~~published on a regular basis and are generally known as newsletters.~~

25 * * *

26 §380.137. Secretary of state; rules and regulations

27 The secretary of state may adopt policies, rules, and regulations for the
28 operation of the museum in accordance with the Administrative Procedure Act.

29 * * *

1 §380.152. Governing board; creation; domicile; appointment and compensation of
2 members

3 * * *

4 C. The board shall be comprised of the following members:

5 (1) ~~Ten~~ **Eleven** members who have a knowledge of and an interest in the
6 purposes of the museum shall be appointed by the secretary of state ~~to serve~~
7 ~~four-year terms concurrent with the governor.~~

8 (2) The secretary of state or his designee shall ~~be an ex officio~~ **serve as a**
9 member of the board.

10 * * *

11 E. Each ~~appointment made by the secretary of state~~ **appointed member** shall
12 ~~be subject to confirmation~~ **be confirmed** by the Senate **and shall serve a term**
13 **concurrent with the secretary of state.**

14 * * *

15 §380.153. Duties and powers of the board

16 * * *

17 B. The board shall:

18 (1) Meet at least ~~once each quarter~~ **three times a year** at the call of the board
19 chairman.

20 (2)(a) Create an executive committee consisting of the chairman and vice
21 chairman of the board and such other board members as the board may determine.

22 (b) A majority of the members of the committee shall constitute a quorum for
23 the transaction of business. However, when the board has delegated to the committee
24 full power to act with respect to a matter, affirmative action by a majority of the
25 entire committee membership shall be required.

26 (c) The committee shall meet at the call of the board chairman.

27 (d) The committee shall consider such matters as are referred to it by the
28 board. It shall execute such orders and resolutions as shall be assigned to it at any
29 meeting of the board, and it shall also take such action as is necessary when an

1 emergency requiring immediate action arises during the interim between board
 2 meetings. All acts of the committee shall be submitted to the board for ratification
 3 or rejection at its next meeting except in matters in which the board has delegated to
 4 the committee full power to act.

5 (3) Adopt bylaws ~~and establish policies and procedures for the museum's~~
 6 ~~governance~~, including but not limited to provisions for the following:

7 (a) The election and responsibilities of the officers of the board, including a
 8 chairman and vice chairman, who shall serve terms of two years.

9 (b) The selection, ~~term~~, and responsibilities of advisors to the board. The
 10 board may appoint not more than five advisors who shall serve without
 11 compensation.

12 (c) The appointment, duties, and functions of standing and special
 13 committees of the board, including the appointment of nonboard members to such
 14 committees and their functions.

15 (4) ~~Establish, in accordance with the Administrative Procedure Act, policies,~~
 16 ~~rules, and regulations for the operation of the museum, including setting and~~
 17 ~~charging admission and tour fees and user or rental fees to any or all museum~~
 18 ~~buildings and exhibits. Such user or rental fees shall reflect the actual costs of~~
 19 ~~maintenance of the space rented and the market rates for comparable space in the~~
 20 ~~locality of the space rented.~~

21 (5) Advise the secretary of state on all matters relating to the operations of
 22 the Germantown Colony Museum.

23 (6)(5) Establish and use an identifying seal pertaining to museum business.

24 (7)(6) Perform such other functions as are otherwise provided by this Chapter
 25 and R.S. 36:801.22.

26 C. The board may:

27 (1) ~~Individually~~ **individually**, or in cooperation with any nonprofit
 28 corporation established to support the Germantown Colony Museum, seek funds
 29 from any source, public or private, to support programs of the museum and ~~expand~~

1 expend such funds for such purpose.

2 ~~(2) Contract with consulting experts in the fields of museum administration~~
3 ~~and conservation of artifacts, video recordings, motion picture film, pictures and~~
4 ~~photographs, books and papers, and decorative arts, and with appraisers, buying~~
5 ~~agents, designers, engineers, attorneys, accountants, construction, and financial~~
6 ~~experts, and other such persons as may be necessary to carry out the purposes of the~~
7 ~~museum.~~

8 ~~(3) Authorize reports and recommendations which include the issuance,~~
9 ~~publication, or distribution of general information documents or pamphlets which are~~
10 ~~published on a regular basis and are generally known as newsletters.~~

11 * * *

12 **§380.157. Secretary of state; rules and regulations**

13 **The secretary of state may adopt policies, rules, and regulations for the**
14 **operation of the museum in accordance with the Administrative Procedure Act.**

15 Section 2. R.S. 36:801.6, 801.7, 801.9, 801.12, 801.15, 801.16, 801.20, and 801.22
16 are hereby amended and reenacted to read as follows:

17 §801.6. Transfer; Regional Museum Governing Board of the Louisiana State Exhibit
18 Museum

19 A. The Regional Museum Governing Board of the Louisiana State Exhibit
20 Museum placed within the Department of State shall exercise all powers, duties,
21 functions, and responsibilities provided or authorized by law which are in the nature
22 of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The board
23 shall exercise all advisory powers, duties, and functions provided by law. The board
24 shall administer and implement all programs provided or authorized by law. ~~The~~
25 ~~board, with the approval of the secretary of the department, shall employ, appoint,~~
26 ~~fix the compensation of, remove, assign, and promote such personnel as is necessary~~
27 ~~for the efficient administration of its powers, duties, functions, and responsibilities~~
28 ~~and for the administration of its programs, in accordance with civil service laws,~~
29 ~~rules, and regulations. The board shall exercise the powers, duties, functions, and~~

1 ~~responsibilities and shall administer and implement the programs authorized in this~~
2 ~~Section independently of the secretary, except as otherwise provided herein. The~~
3 board shall be responsible for the performance and administration of its day-to-day
4 operations, except that the secretary of the department shall be responsible for those
5 matters which are in the nature of accounting, payroll, budget control, procurement,
6 data processing, and personnel management; and shall have the authority to transfer
7 or implement any or all of ~~said~~ **these** functions through the secretary and the
8 department.

9 B. ~~Nothing shall authorize monies, property, or personnel budgeted or~~
10 ~~assigned to the board to be transferred to or to be used by the department without~~
11 ~~prior approval of the board.~~

12 C. The board may solicit and accept gifts and donations for the purposes of
13 the Louisiana State Exhibit Museum. Any funds so accepted may be expended by the
14 board or by the Department of State as otherwise provided by law.

15 §801.7. Governing board of Louisiana State Cotton Museum

16 A. The governing board of the Louisiana State Cotton Museum is hereby
17 placed within the Department of State and shall exercise all powers, duties,
18 functions, and responsibilities provided or authorized by law which are in the nature
19 of ~~policymaking, rulemaking,~~ regulation, enforcement, or adjudication. The board
20 shall exercise all advisory powers, duties, and functions provided by law. The board
21 shall administer and implement all programs provided or authorized by law. ~~The~~
22 ~~board, with the approval of the secretary of the Department of State, shall employ,~~
23 ~~appoint, fix the compensation of, remove, assign and promote such personnel as is~~
24 ~~necessary for the efficient administration of its powers, duties, and functions, and the~~
25 ~~responsibilities and for the administration of its programs, in accordance with civil~~
26 ~~service laws, rules, and regulations. The board shall exercise the powers, duties,~~
27 ~~functions, and responsibilities and shall administer and implement the programs~~
28 ~~authorized in this Section independently of the secretary, except as otherwise~~
29 ~~provided herein. The board shall be responsible for the performance and~~

1 administration of its day-to-day operations, except that the secretary of the
 2 Department of State shall be responsible for those matters which are in the nature of
 3 accounting, payroll, budget control, procurement, data processing, and personnel
 4 management and shall have the authority to transfer or implement any or all of said
 5 functions through the secretary and the department.

6 ~~B. Nothing shall authorize monies, property, or personnel budgeted or~~
 7 ~~assigned to the board to be transferred to or to be used by the department without~~
 8 ~~prior approval of the board.~~

9 ~~C.~~ The board may solicit and accept gifts and donations for the purposes of
 10 the Louisiana State Cotton Museum. Any funds so accepted may be expended by the
 11 board or by the Department of State as otherwise provided by law.

12 * * *

13 §801.9. Governing board of the Louisiana State Oil and Gas Museum

14 A. The governing board of the Louisiana State Oil and Gas Museum is
 15 hereby placed within the Department of State and shall exercise all powers, duties,
 16 functions, and responsibilities provided or authorized by law which are in the nature
 17 of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The board
 18 shall exercise all advisory powers, duties, and functions provided by law. The board
 19 shall administer and implement all programs provided or authorized by law. ~~The~~
 20 ~~board, with the approval of the secretary of the Department of State, shall employ,~~
 21 ~~appoint, fix the compensation of, remove, assign, and promote such personnel as is~~
 22 ~~necessary for the efficient administration of its powers, duties, functions, and~~
 23 ~~responsibilities and for the administration of its programs, in accordance with civil~~
 24 ~~service laws, rules, and regulations. The board shall exercise the powers, duties,~~
 25 ~~functions, and responsibilities and shall administer and implement the programs~~
 26 ~~authorized in this Section independently of the secretary, except as otherwise~~
 27 ~~provided herein.~~ The board shall be responsible for the performance and
 28 administration of its day-to-day operations, except that the secretary of the
 29 Department of State shall be responsible for those matters which are in the nature of

1 accounting, payroll, budget control, procurement, data processing, and personnel
2 management and shall have the authority to transfer or implement any or all of ~~said~~
3 **these** functions through the secretary and the department.

4 B. ~~Nothing shall authorize monies, property, or personnel budgeted or~~
5 ~~assigned to the board to be transferred to or to be used by the department without~~
6 ~~prior approval of the board.~~

7 ~~C.~~ The board may solicit and accept gifts and donations for the purposes of
8 the Louisiana State Oil and Gas Museum. Any funds so accepted may be expended
9 by the board or by the Department of State as otherwise provided by law.

10 §801.12. Governing board of the Louisiana Delta Music Museum

11 A.(1) The Louisiana Delta Music Museum is hereby placed within the
12 Department of State, subject to the provisions of this Section and Chapter 5-H of
13 Title 25 of the Louisiana Revised Statutes of 1950.

14 (2) The governing board of the Louisiana Delta Music Museum is hereby
15 placed within the Department of State and shall exercise all powers, duties,
16 functions, and responsibilities provided or authorized for it by law which are in the
17 nature of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The
18 board shall exercise all advisory powers, duties, and functions provided for it by law.
19 The board shall administer and implement all programs provided or authorized by
20 law for it or for the Louisiana Delta Music Museum. ~~The board, with the approval~~
21 ~~of the secretary of state, shall employ, appoint, fix the compensation of, remove,~~
22 ~~assign, and promote such personnel as is necessary for the efficient administration~~
23 ~~of its powers, duties, functions, and responsibilities and for the administration of its~~
24 ~~programs, and in accordance with civil service laws, rules, and regulations. The~~
25 ~~board shall exercise the powers, duties, functions, and responsibilities and shall~~
26 ~~administer and implement the programs authorized by this Section independently of~~
27 ~~the secretary, except as otherwise provided in this Section.~~ The board shall be
28 responsible for the performance and administration of its day-to-day operations,
29 except that the secretary of the Department of State shall be responsible for those

1 matters which are in the nature of accounting, payroll, budget control, procurement,
2 data processing, and personnel management and shall have the authority to transfer
3 or implement any or all of said functions through the secretary and the department.

4 ~~B. Nothing shall authorize monies, property, or personnel budgeted or~~
5 ~~assigned to the board or to the museum to be transferred to or to be used by the~~
6 ~~department without prior approval of the board.~~

7 ~~C.~~ The board may solicit and accept gifts and donations for the purposes of
8 the Louisiana Delta Music Museum. Any funds so accepted may be expended by the
9 board or by the Department of State as otherwise provided by law.

10 ~~D.C.~~(1) The provisions of R.S. 36:810 and 811 shall be applicable to the
11 museum and its governing board placed within the Department of State by this
12 Section.

13 (2) No records, books, or papers stored in the museum vault or on museum
14 premises shall be removed or transferred from the museum without the unanimous
15 approval of all of the members of the governing board.

16 §801.15. Governing board of the Tioga Heritage Park and Museum

17 A.(1) The Tioga Heritage Park and Museum is hereby placed within the
18 Department of State, subject to the provisions of this Section and Chapter 5-K of
19 Title 25 of the Louisiana Revised Statutes of 1950.

20 (2) The governing board of the Tioga Heritage Park and Museum is hereby
21 placed within the Department of State and shall exercise all powers, duties,
22 functions, and responsibilities provided or authorized for it by law which are in the
23 nature of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The
24 board shall exercise all advisory powers, duties, and functions provided for it by law.
25 The board shall administer and implement all programs provided or authorized by
26 law for it or for the Tioga Heritage Park and Museum. ~~The board shall exercise the~~
27 ~~powers, duties, functions, and responsibilities and shall administer and implement~~
28 ~~the programs authorized by this Section independently of the secretary, except as~~
29 ~~otherwise provided in this Section.~~ The board shall be responsible for the

1 performance and administration of its day-to-day operations, except that the
 2 secretary of the Department of State shall be responsible for those matters which are
 3 in the nature of accounting, payroll, budget control, procurement, data processing,
 4 and personnel management and shall have the authority to transfer or implement any
 5 or all of said functions through the secretary and the department.

6 ~~B. Nothing shall authorize monies, property, or personnel budgeted or~~
 7 ~~assigned to the board or to the museum to be transferred to or to be used by the~~
 8 ~~department without prior approval of the board.~~

9 ~~C.~~ The board may solicit and accept gifts and donations for the purposes of
 10 the Tioga Heritage Park and Museum. Any funds so accepted may be expended by
 11 the board or by the Department of State as otherwise provided by law.

12 ~~D.~~C.(1) The provisions of R.S. 36:810 and 811 shall be applicable to the
 13 museum and its governing board placed within the Department of State by this
 14 Section.

15 (2) No records, books, or papers stored in the museum vault or on museum
 16 premises shall be removed or transferred from the museum without approval of the
 17 governing board.

18 §801.16. Governing board of the Mansfield Female College Museum

19 A.(1) The Mansfield Female College Museum is hereby placed within the
 20 Department of State, subject to the provisions of this Section and Chapter 5-L of
 21 Title 25 of the Louisiana Revised Statutes of 1950.

22 (2) The governing board of the Mansfield Female College Museum is hereby
 23 placed within the Department of State and shall exercise all powers, duties,
 24 functions, and responsibilities provided or authorized for it by law which are in the
 25 nature of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The
 26 board shall exercise all advisory powers, duties, and functions provided for it by law.
 27 The board shall administer and implement all programs provided or authorized by
 28 law for it or for the Mansfield Female College Museum. ~~The board shall exercise the~~
 29 ~~powers, duties, functions, and responsibilities and shall administer and implement~~

1 ~~the programs authorized by this Section independently of the secretary, except as~~
 2 ~~otherwise provided in this Section.~~ The board shall be responsible for the
 3 performance and administration of its day-to-day operations, except that the
 4 secretary of the Department of State shall be responsible for those matters which are
 5 in the nature of accounting, payroll, budget control, procurement, data processing,
 6 and personnel management and shall have the authority to transfer or implement any
 7 or all of said functions through the secretary and the department.

8 ~~B. Nothing shall authorize monies, property, or personnel budgeted or~~
 9 ~~assigned to the board or to the museum to be transferred to or to be used by the~~
 10 ~~department without prior approval of the board.~~

11 ~~€.~~ The board may solicit and accept gifts and donations for the purposes of
 12 the Mansfield Female College Museum. Any funds so accepted may be expended by
 13 the board or by the Department of State as otherwise provided by law.

14 ~~Ɔ.~~C.(1) The provisions of R.S. 36:810 and 811 shall be applicable to the
 15 museum and its governing board placed within the Department of State by this
 16 Section.

17 (2) No records, books, or papers stored in the museum vault or on museum
 18 premises shall be removed or transferred from the museum without the approval of
 19 the governing board.

20 §801.20. Governing board of the Louisiana Military Hall of Fame and Museum

21 A.(1) The Louisiana Military Hall of Fame and Museum is hereby placed
 22 within the Department of State, subject to the provisions of this Section and Chapter
 23 5-P of Title 25 of the Louisiana Revised Statutes of 1950.

24 (2) The governing board of the Louisiana Military Hall of Fame and Museum
 25 is hereby placed within the Department of State and shall exercise all powers, duties,
 26 functions, and responsibilities provided or authorized for it by law which are in the
 27 nature of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The
 28 board shall exercise all advisory powers, duties, and functions provided for it by law.
 29 The board shall administer and implement all programs provided or authorized by

1 law for it or for the Louisiana Military Hall of Fame and Museum. ~~The board, with~~
2 ~~the approval of the secretary of state, shall employ, appoint, fix the compensation of,~~
3 ~~remove, assign, and promote such personnel as is necessary for the efficient~~
4 ~~administration of its powers, duties, functions, and responsibilities for the~~
5 ~~administration of its programs, and in accordance with civil service laws, rules, and~~
6 ~~regulations. The board shall exercise the powers, duties, functions, and~~
7 ~~responsibilities and shall administer and implement the programs authorized by this~~
8 ~~Section independently of the secretary, except as otherwise provided in this Section.~~
9 The board shall be responsible for the performance and administration of its
10 day-to-day operations, except that the secretary of the Department of State shall be
11 responsible for those matters which are in the nature of accounting, payroll, budget
12 control, procurement, data processing, and personnel management and shall have the
13 authority to transfer or implement any or all of said functions through the secretary
14 and the department.

15 B. ~~Nothing shall authorize monies, property, or personnel budgeted or~~
16 ~~assigned to the board or to the museum to be transferred to or to be used by the~~
17 ~~department without prior approval of the board.~~

18 C. The board may solicit and accept gifts and donations for the purposes of
19 the Louisiana Military Hall of Fame and Museum. Any funds so accepted may be
20 expended by the board or by the Department of State as otherwise provided by law.

21 ~~D.~~C.(1) The provisions of R.S. 36:810 and 811 shall be applicable to the
22 museum and its governing board placed within the Department of State by this
23 Section.

24 (2) No records, books, or papers stored in the museum vault or on museum
25 premises shall be removed or transferred from the museum without the approval of
26 two-thirds of the members of the governing board.

27 §801.22. Governing board of the Germantown Colony Museum

28 A.(1) The Germantown Colony Museum is hereby placed within the
29 Department of State, subject to the provisions of this Section and Chapter 5-R of

1 Title 25 of the Louisiana Revised Statutes of 1950.

2 (2) The governing board of the Germantown Colony Museum is hereby
3 placed within the Department of State and shall exercise all powers, duties,
4 functions, and responsibilities provided or authorized for it by law which are in the
5 nature of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The
6 board shall exercise all advisory powers, duties, and functions provided for it by law.
7 The board shall administer and implement all programs provided or authorized by
8 law for it or for the Germantown Colony Museum. ~~The board shall exercise the~~
9 ~~powers, duties, functions, and responsibilities and shall administer and implement~~
10 ~~the programs authorized by this Section independently of the secretary, except as~~
11 ~~otherwise provided in this Section.~~ The board shall be responsible for the
12 performance and administration of its day-to-day operations, except that the
13 secretary of state shall be responsible for those matters which are in the nature of
14 capital outlay, accounting, payroll, budget control, procurement, data processing, and
15 personnel management and shall have the authority to transfer or implement any or
16 all of said functions through the secretary and the department. Except as provided in
17 R.S. 25:380.154(A)(2), the secretary of state shall employ, appoint, fix the
18 compensation of, remove, assign, and promote such personnel as **is are** necessary for
19 the efficient administration of the museum in accordance with civil service laws,
20 rules, and regulations.

21 ~~B. Nothing in this Section shall authorize monies, property, or personnel~~
22 ~~budgeted or assigned to the board or to the museum to be transferred to or to be used~~
23 ~~by the department without prior approval of the board.~~

24 ~~C.~~ The board may solicit and accept gifts and donations for the purposes of
25 the Germantown Colony Museum. Any funds so accepted may be expended by the
26 board or by the Department of State as otherwise provided by law.

27 ~~D.C.~~(1) The provisions of R.S. 36:810 and 811 shall be applicable to the
28 museum and its governing board placed within the Department of State by this
29 Section.

1 (2) No records, books, or papers stored in the museum vault or on museum
2 premises shall be removed or transferred from the museum without the approval of
3 the governing board.

4 Section 3. R.S. 25:379.2(C)(4) is hereby repealed.

5 Section 4. A member of the governing board of the Louisiana State Cotton Museum,
6 the governing board of the Louisiana State Oil and Gas Museum, the governing board of the
7 Louisiana Delta Music Museum, the governing board of the Tioga Heritage Park and
8 Museum, the governing board of the Mansfield Female College Museum, the governing
9 board of directors of the Louisiana Military Hall of Fame and Museum, or the governing
10 board of the Germantown Colony Museum, serving on the effective date of the Act may
11 serve for the remainder of his unexpired term notwithstanding the provisions of this Act.
12 After the effective date of this Act, the secretary of state shall appoint members as needed
13 to ensure that the number of members is not less than that provided for by R.S. 25:380.1(C)
14 as amended by this Act, R.S. 25:380.22(C) as amended by this Act, R.S. 25:380.52(C) as
15 amended by this Act, R.S. 25:380.82(C) as amended by this Act, R.S. 25:380.92(C) as
16 amended by this Act, R.S. 25:380.132(C) as amended by this Act or R.S. 25:380.152(C) as
17 amended by this Act or as applicable.

18 Section 5. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become
22 effective on the day following such approval.

The original instrument was prepared by Thomas L. Tyler. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cheryl M. Serrett.

SB 104 Reengrossed

DIGEST
2020 Regular Session

Milligan

Present law requires that the Advisory Board of the Old State Capitol (Old State Capitol Museum), the Regional Museum Governing Board of the Louisiana State Exhibit Museum (State Exhibit Museum), the governing boards of the Louisiana State Cotton Museum (State Cotton Museum), the Louisiana State Oil and Gas Museum (Oil & Gas Museum), the Louisiana Delta Music Museum (Delta Music Museum), the Tioga Heritage Park and Museum (Tioga Heritage Park Museum), the Mansfield Female College Museum (Mansfield

Female College Museum), the Louisiana Military Hall of Fame and Museum (Military Hall of Fame Museum), and the Germantown Colony Museum (Germantown Colony Museum) meet at least once each quarter.

Proposed law requires that board meetings be at least three times a year.

Present law authorizes each board to establish policies and rules setting and charging admission and tour fees and user or rental fees.

Proposed law removes this individual board authority and authorizes the secretary of state to adopt policies, rules, and regulations for museum operations in accordance with the Administrative Procedure Act.

As to the State Exhibit Museum, the State Cotton Museum, the Oil & Gas Museum, the Delta Music Museum, the Tioga Heritage Park Museum, and the Mansfield Female College Museum, proposed law removes authority for each to determine the term and compensation of museum board advisors; removes authority to employ a museum chief administrative officer and a museum director.

Proposed law removes specific authority for the Regional Museum Governing Board of the Louisiana State Exhibit Museum to contract with appraisers, buying agents, designers, engineers, attorneys, accountants, construction, and financial experts but provides authority to contract with consulting experts for the conservation of painting, books, papers, and other decorative arts for the accession and deaccession of artifacts and for the accreditation of museum.

As to the State Cotton Museum and the Oil & Gas Museum, proposed law removes specific authority to contract with appraisers, buying agents, designers, engineers, attorneys, accountants, construction, and financial experts.

As to the Delta Music Museum, Tioga Heritage Park Museum, the Mansfield Female College Museum, the Military Hall of Fame Museum, and the Germantown Colony Museum, proposed law removes specific authority to contract with consulting experts in fields of museum administration and conservation of artifacts, audio and video recordings, motion picture films, books and papers and decorative arts, and with appraisers, buying agents, designers, engineers, attorneys, accountants, construction, and financial experts.

Present law provides that nothing in the transfer of the State Exhibit Museum, State Cotton Museum, the Oil & Gas Museum, the Delta Music Museum, Tioga Heritage Park Museum, the Mansfield Female College Museum, the Military Hall of Fame Museum, and the Germantown Colony Museum to the Department of State under the Executive Reorganization Act, is to authorize monies, property, or personnel budgeted or assigned to each museum board to be transferred or used by the Department of State without prior board approval.

Proposed law removes these provisions.

Proposed law provides that museum board members serving on a particular board on the effective date of proposed law may serve the remainder of their unexpired term.

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

(Amends R.S. 25: 374(A)(1), 379.2(B) and (C)(3), 379.3(C), 380.1(C)(2) and (D), 380.2(B) and (C), 380.22(C) and (D), 380.23(B) and (C), 380.52(C) and (E), 380.53(B) and (C), 380.82(C) and (E), 380.83(B) and (C), 380.92(C) and (E), 380.93(B) and (C), 380.132(C), 380.133(B) and (C), 380.152(C) and (E), and 380.153(B) and (C), and R.S. 36:801.6, 801.7, 801.9, 801.12, 801.15, 801.16, 801.20, and 801.22; adds R.S. 25:379.7, 380.6, 380.27, 380.57, 380.87, 380.97, 380.137, and 380.157; repeals R.S. 25:379.2(C)(4))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Amends the duties of the governing board of the Tioga Heritage Park and Museum.
2. Makes technical amendments.