

SENATE BILL NO. 104

BY SENATOR MILLIGAN

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AN ACT

To amend and reenact 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, to enact R.S. 25:379.7, 380.6, 380.27, 380.57, 380.87, 380.97, 380.137, and 380.157, and to repeal R.S. 25:379.2(C)(4), relative to museums; to provide for meetings and membership of certain museum governing boards; to provide for authority of each governing board; to authorize the secretary of state to establish policies, rules, and regulations for the operation of each museum; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. 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), and 380.93(B) and (C), 380.152(C) and (E), and 380.153(B) and (C) are hereby amended and reenacted and R.S. 25:379.7, 380.6, 380.27, 380.57, 380.87, 380.97, and 380.157 are hereby enacted to read as follows:

§374. Domicile; powers and duties of the board

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

\* \* \*

§379.2. Duties and powers of the board

\* \* \*

B. The board shall:

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

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

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

9 (c) The committee shall meet at least monthly, except in those months in  
10 which the board meets, or at the call of the 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 to serve terms of two years.

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

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

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



1 primary purpose of supporting the programs and activities of the Louisiana State  
 2 Exhibit Museum, including the Friends of the Louisiana State Exhibit Museum, for  
 3 the establishment of ~~offices, stores, or~~ exhibits on the property of and in the  
 4 Louisiana State Exhibit Museum. ~~The board may enter into contracts and agreements~~  
 5 ~~for joint construction, equipment, maintenance, and financing thereof, and may enter~~  
 6 ~~into contracts and agreements for the joint financing, supervision, and conduct of~~  
 7 ~~cooperative enterprises and undertakings.~~ Any public agency may enter into  
 8 contracts and agreements with the board for the purposes mentioned in this  
 9 Subsection.

10 \* \* \*

11 **§379.7. Secretary of state; rules and regulations**

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

14 \* \* \*

15 §380.1. Governing board; creation; domicile; appointment and compensation of  
 16 members

17 \* \* \*

18 C.(1)

\* \* \*

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

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

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

29 (c) ~~Five~~ **Six** members shall be appointed by the secretary of state ~~to serve~~  
 30 ~~four-year terms~~ from a list of ten names submitted and nominated by the Friends of

1 the Louisiana State Cotton Museum.

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

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

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

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

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

13 \* \* \*

14 §380.2. Duties and powers of the board

15 \* \* \*

16 B. The board shall:

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

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

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

25 (c) The committee shall meet at least quarterly, except in those months in  
26 which the board meets, or at the call of the 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  
30 emergency requiring immediate action arises during the interim between board

1 meetings. All acts of the committee shall be submitted to the board for ratification  
2 or rejection at its next meeting except in matters in which the board has delegated to  
3 the committee full power to act.

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

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

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

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

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

17 (e) The appointment, duties, and functions of standing and special  
18 committees of the board, including the appointment of nonboard members to such  
19 committees and their functions.

20 ~~(f)~~**(d)** The preparation of a budget and plan for funding sufficient to maintain  
21 standards necessary to qualify for and maintain the accreditation of the American  
22 Association of Museums.

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

29 ~~(5)~~ Advise the secretary of state on all matters relating to the operations of  
30 the Louisiana State Cotton Museum and shall have such other functions as are

1 otherwise provided in this Chapter and R.S. 36:801.7.

2 ~~(6)~~**(5)** Establish and use an identifying seal pertaining to museum business.

3 C. The board may:

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

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

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

14 ~~(4) Authorize reports and recommendations which include the issuance,  
15 publication, or distribution of general information documents or pamphlets, which  
16 are published on a regular basis and are generally known as newsletters.~~

17 \* \* \*

18 **§380.6. Secretary of state; rules and regulations**

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

21 \* \* \*

22 §380.22. Governing board; creation; domicile; appointment and compensation of  
23 members

24 \* \* \*

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

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

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

1 Association.

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

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

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

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

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

14 \* \* \*

15 §380.23. 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 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 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  
30 emergency requiring immediate action arises during the interim between board



1 meetings. All acts of the committee shall be submitted to the board for ratification  
 2 or rejection at its next meeting except in matters in which the board has delegated to  
 3 the committee full power to act.

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

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

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

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

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

16 (e) The appointment, duties, and functions of standing and special  
 17 committees of the board including the appointment of nonboard members to such  
 18 committees and their functions.

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

22 (4) ~~Establish, in accordance with the Administrative Procedure Act, R.S.~~  
 23 ~~49:950 et seq., policies, rules, and regulations for the operation of the museum~~  
 24 ~~including setting and charging admission and tour fees and user or rental fees to any~~  
 25 ~~or all museum buildings and exhibits. Such user or rental fees shall reflect the actual~~  
 26 ~~costs of maintenance of the space rented and the market rates for comparable space~~  
 27 ~~in the locality of the space rented.~~

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

30 ~~(6)~~**(5)** Establish and use an identifying seal pertaining to museum business.

1                    ~~(7)~~**(6)** Perform such other functions as are otherwise provided in this Chapter  
2 and R.S. 36:801.9.

3                    C. The board may:

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

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

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

16                    \*           \*           \*

17                    **§380.27. Secretary of state; rules and regulations**

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

20                    \*           \*           \*

21                    §380.52. Governing board; creation; domicile; appointment and compensation of  
22 members

23                    \*           \*           \*

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

25                    (1) ~~Fifteen~~ **Eleven** members **shall be appointed by the secretary of state**  
26 having a knowledge of and an interest in music of the Louisiana Delta. They shall  
27 be appointed by the secretary of state from an area composed of the following  
28 parishes: Caldwell, Catahoula, Concordia, East Carroll, Franklin, Madison,  
29 Morehouse, Ouachita, Richland, Tensas, and West Carroll. ~~They shall serve~~  
30 ~~four-year terms concurrent with the term of the governor.~~

1 (2) The mayor of Ferriday, the president/CEO of the Ferriday chamber of  
2 commerce, the secretary of state or his designee; **shall serve as a member.**

3 **(3) the** The museum chief administrative officer; and the museum director,  
4 if any, shall each be ex officio members of the board.

5 \* \* \*

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

9 \* \* \*

10 §380.53. Duties and powers of the board

11 \* \* \*

12 B. The board shall:

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

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

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

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

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

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

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

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

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

8 ~~(d) The employment, term, compensation, and responsibilities of a museum  
9 director. The museum director may also serve as the museum chief administrative  
10 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 ~~(4) Establish, in accordance with the Administrative Procedure Act, policies,  
15 rules, and regulations for the operation of the museum, including setting and  
16 charging admission and tour fees and user or rental fees to any or all museum  
17 buildings and exhibits. Such user or rental fees shall reflect the actual costs of  
18 maintenance of the space rented and the market rates for comparable space in the  
19 locality of the space rented.~~

20 ~~(5) Advise the secretary of state on all matters relating to the operations of  
21 the Louisiana Delta Music Museum.~~

22 ~~(6)~~**(5)** Establish and use an identifying seal pertaining to museum business.

23 ~~(7)~~**(6)** Perform such other functions as are otherwise provided by this Chapter  
24 and R.S. 36:801.12.

25 C. The board may:

26 ~~(1) Individually~~ **individually**, or in cooperation with any nonprofit  
27 corporation established to support the Louisiana Delta Music Museum, seek and  
28 expend funds from any source, public or private, to support programs of the museum.

29 ~~(2) Contract with consulting experts in the fields of museum administration  
30 and conservation of artifacts, audio and video recordings, motion picture films,~~

1 books and papers, and decorative arts, and with appraisers, buying agents, designers,  
2 engineers, attorneys, accountants, construction and financial experts, and other such  
3 persons as may be necessary to carry out the purposes of the museum:

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

7 \* \* \*

8 **§380.57. Secretary of state; rules and regulations**

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

11 \* \* \*

12 §380.82. Governing board; creation; domicile; appointment and compensation of  
13 members

14 \* \* \*

15 C. The board shall be comprised of ~~thirteen members who have a knowledge~~  
16 ~~of and an interest in historical preservation and the history of the Tioga area and~~  
17 ~~surrounding communities and who shall be appointed as follows~~ **the following**  
18 **members:**

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

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

26 \* \* \*

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

29 \* \* \*

30 §380.83. Duties and powers of the board

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

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

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

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

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

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

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

~~(d) The employment, term, compensation, and responsibilities of a museum director. The museum director may also serve as the 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 the museum at a level  
5 sufficient to maintain standards necessary to qualify for and maintain the  
6 accreditation of the American Association of Museums.

7           (4) ~~Establish, in accordance with the Administrative Procedure Act, R.S.~~  
8 ~~49:950 et seq., policies, rules, and regulations for the operation of the museum,~~  
9 ~~including setting and charging admission and tour fees and user or rental fees to any~~  
10 ~~or all museum buildings and exhibits. Such user or rental fees shall reflect the actual~~  
11 ~~costs of maintenance of the space rented and the market rates for comparable space~~  
12 ~~in the locality of the space rented.~~

13           ~~(5)~~ Advise the secretary of state on all matters relating to the operations of  
14 the museum.

15           ~~(6)~~**(5)** Establish and use an identifying seal pertaining to museum business.

16           ~~(7)~~**(6)** Perform such other functions as are otherwise provided by this Chapter  
17 and R.S. 36:801.15.

18           C. The board may:

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

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

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

30

\* \* \*

1 §380.87. Secretary of state; rules and regulations

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

4 \* \* \*

5 §380.92. Governing board; creation; domicile; appointment and compensation of  
6 members

7 \* \* \*

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

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

14 ~~(2) Four members shall be appointed by the secretary of state from a list of~~  
15 ~~nominees provided by the Friends of the Mansfield Female College Museum. The~~  
16 ~~initial terms of members appointed pursuant to this Paragraph shall terminate on July~~  
17 ~~1, 2004, and all subsequent terms shall be four years.~~

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

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

23 \* \* \*

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

27 \* \* \*

28 §380.93. Duties and powers of the board

29 \* \* \*

30 B. The board shall:



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

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

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

9 (c) The committee shall meet at the call of the board 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, who shall serve terms of two years.

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

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

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

29 (e) The appointment, duties, and functions of standing and special  
30 committees of the board, including the appointment of nonboard members to such

1 committees and their functions.

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

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

11 ~~(5)~~ Advise the secretary of state on all matters relating to the operations of  
 12 the Mansfield Female College Museum.

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

14 ~~(6)~~**(6)** Perform such other functions as are otherwise provided by this Chapter  
 15 and R.S. 36:801.16.

16 C. The board may:

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

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

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

28 \* \* \*

29 **§380.97. Secretary of state; rules and regulations**

30 **The secretary of state may adopt policies, rules, and regulations for the**

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

2 \* \* \*

3 §380.152. Governing board; creation; domicile; appointment and compensation of  
4 members

5 \* \* \*

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

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

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

12 \* \* \*

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

16 \* \* \*

17 §380.153. Duties and powers of the board

18 \* \* \*

19 B. The board shall:

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

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

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

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

29 (d) The committee shall consider such matters as are referred to it by the  
30 board. It shall execute such orders and resolutions as shall be assigned to it at any

1 meeting of the board, and it shall also take such action as is necessary when an  
 2 emergency requiring immediate action arises during the interim between board  
 3 meetings. All acts of the committee shall be submitted to the board for ratification  
 4 or rejection at its next meeting except in matters in which the board has delegated to  
 5 the committee full power to act.

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

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

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

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

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

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

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

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

27 C. The board may:

28 (1) ~~Individually~~ **individually**, or in cooperation with any nonprofit  
 29 corporation established to support the Germantown Colony Museum, seek funds  
 30 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, and 801.22 are hereby  
16 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~~  
30 ~~responsibilities and shall administer and implement the programs authorized in this~~

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

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

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

14          §801.7. Governing board of Louisiana State Cotton Museum

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

10 \* \* \*

11 §801.9. Governing board of the Louisiana State Oil and Gas Museum

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

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

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

7 §801.12. Governing board of the Louisiana Delta Music Museum

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

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

30           B. ~~Nothing shall authorize monies, property, or personnel budgeted or~~



1 assigned to the board or to the museum to be transferred to or to be used by the  
2 department without prior approval of the board.

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

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

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

12 §801.15. Governing board of the Tioga Heritage Park and Museum

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

16 (2) The governing board of the Tioga Heritage Park and Museum is hereby  
17 placed within the Department of State and shall exercise all powers, duties,  
18 functions, and responsibilities provided or authorized for it by law which are in the  
19 nature of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The  
20 board shall exercise all advisory powers, duties, and functions provided for it by law.  
21 The board shall administer and implement all programs provided or authorized by  
22 law for it or for the Tioga Heritage Park and Museum. ~~The board shall exercise the~~  
23 ~~powers, duties, functions, and responsibilities and shall administer and implement~~  
24 ~~the programs authorized by this Section independently of the secretary, except as~~  
25 ~~otherwise provided in this Section.~~ The board shall be responsible for the  
26 performance and administration of its day-to-day operations, except that the  
27 secretary of the Department of State shall be responsible for those matters which are  
28 in the nature of accounting, payroll, budget control, procurement, data processing,  
29 and personnel management and shall have the authority to transfer or implement any  
30 or all of said functions through the secretary and the department.

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

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

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

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

13 §801.16. Governing board of the Mansfield Female College Museum

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

17           (2) The governing board of the Mansfield Female College Museum is hereby  
 18 placed within the Department of State and shall exercise all powers, duties,  
 19 functions, and responsibilities provided or authorized for it by law which are in the  
 20 nature of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The  
 21 board shall exercise all advisory powers, duties, and functions provided for it by law.  
 22 The board shall administer and implement all programs provided or authorized by  
 23 law for it or for the Mansfield Female College Museum. ~~The board shall exercise the~~  
 24 ~~powers, duties, functions, and responsibilities and shall administer and implement~~  
 25 ~~the programs authorized by this Section independently of the secretary, except as~~  
 26 ~~otherwise provided in this Section.~~ The board shall be responsible for the  
 27 performance and administration of its day-to-day operations, except that the  
 28 secretary of the Department of State shall be responsible for those matters which are  
 29 in the nature of accounting, payroll, budget control, procurement, data processing,  
 30 and personnel management and shall have the authority to transfer or implement any

1 or all of said functions through the secretary and the department.

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

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

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

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

14 \* \* \*

15 §801.22. Governing board of the Germantown Colony Museum

16 A.(1) The Germantown Colony Museum is hereby placed within the  
 17 Department of State, subject to the provisions of this Section and Chapter 5-R of  
 18 Title 25 of the Louisiana Revised Statutes of 1950.

19 (2) The governing board of the Germantown Colony Museum is hereby  
 20 placed within the Department of State and shall exercise all powers, duties,  
 21 functions, and responsibilities provided or authorized for it by law which are in the  
 22 nature of ~~polycymaking, rulemaking,~~ regulation, enforcement, or adjudication. The  
 23 board shall exercise all advisory powers, duties, and functions provided for it by law.  
 24 The board shall administer and implement all programs provided or authorized by  
 25 law for it or for the Germantown Colony Museum. ~~The board shall exercise the~~  
 26 ~~powers, duties, functions, and responsibilities and shall administer and implement~~  
 27 ~~the programs authorized by this Section independently of the secretary, except as~~  
 28 ~~otherwise provided in this Section.~~ The board shall be responsible for the  
 29 performance and administration of its day-to-day operations, except that the  
 30 secretary of state shall be responsible for those matters which are in the nature of

1 capital outlay, accounting, payroll, budget control, procurement, data processing, and  
 2 personnel management and shall have the authority to transfer or implement any or  
 3 all of said functions through the secretary and the department. Except as provided in  
 4 R.S. 25:380.154(A)(2), the secretary of state shall employ, appoint, fix the  
 5 compensation of, remove, assign, and promote such personnel as ~~is~~ **are** necessary for  
 6 the efficient administration of the museum in accordance with civil service laws,  
 7 rules, and regulations.

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

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

14 ~~D.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 Section 3. R.S. 25:380.132(C) and 380.133(B) and (C) are hereby amended and  
 21 reenacted and R.S. 25:380.137 is hereby enacted to read as follows:

22 §380.132. Governing board; creation; domicile; appointment and compensation of  
 23 members

24 \* \* \*

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

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

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

2 Six members shall be appointed by the secretary of state.

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

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

6 ~~(4)~~(5) Each appointment appointed member shall be subject to confirmation  
7 confirmed by the Senate and shall serve a term concurrent with the secretary of  
8 state.

9 ~~(5)~~(6) Members of the board shall serve without compensation.

10 §380.133. Duties and powers of the board

11 \* \* \*

12 B. The board shall:

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

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

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

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

27 ~~(5)~~(4) Establish and use an identifying seal pertaining to museum business.

28 ~~(6)~~(5) Perform such other functions as are otherwise provided by this Chapter  
29 and R.S. 36:801.20.

30 C. The board may:

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

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

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

~~(4) Contract with consulting experts in the 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, and other such persons as may be necessary to carry out the purposes of the museum.~~

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

\* \* \*

**§380.137. Secretary of state; rules and regulations**

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

Section 4. R.S. 36:801.20 is hereby amended and reenacted to read as follows:

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

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

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

1 The board shall administer and implement all programs provided or authorized by  
 2 law for it or for the Louisiana Military Hall of Fame and Museum. ~~The board, with~~  
 3 ~~the approval of the secretary of state, shall employ, appoint, fix the compensation of,~~  
 4 ~~remove, assign, and promote such personnel as is necessary for the efficient~~  
 5 ~~administration of its powers, duties, functions, and responsibilities for the~~  
 6 ~~administration of its programs, and in accordance with civil service laws, rules, and~~  
 7 ~~regulations. The board shall exercise the powers, duties, functions, and~~  
 8 ~~responsibilities and shall administer and implement the programs authorized by this~~  
 9 ~~Section independently of the secretary, except as otherwise provided in this Section.~~

10 The board shall be responsible for the performance and administration of its  
 11 day-to-day operations, except that the secretary of the Department of State shall be  
 12 responsible for those matters which are in the nature of accounting, payroll, budget  
 13 control, procurement, data processing, and personnel management and shall have the  
 14 authority to transfer or implement any or all of said functions through the secretary  
 15 and the department.

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

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

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

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

28 Section 5. R.S. 25:379.2(C)(4) is hereby repealed.

29 Section 6. A member of the governing board of the Louisiana State Cotton Museum,  
 30 the governing board of the Louisiana State Oil and Gas Museum, the governing board of the

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

12 Section 7.(A) This Act shall become effective upon signature by the governor or, if  
 13 not signed by the governor, upon expiration of the time for bills to become law without  
 14 signature by the governor, as provided by Article III, Section 18 of the Constitution of  
 15 Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act  
 16 shall become effective on the day following such approval.

17 (B) Notwithstanding the provisions of Subsection A of this Section, the provisions  
 18 of Sections 3 and 4 of this Act shall not become effective if House Bill No. 213 of this 2020  
 19 Regular Session of the Legislature is enacted and becomes effective and the reference to the  
 20 Louisiana Military Hall of Fame and Museum in Section 6 of this Act is void if House  
 21 Bill 213 of this 2020 Regular Session of the Legislature is enacted and becomes effective.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_