

SENATE BILL NO. 210

BY SENATOR CLOUD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 25:341, 342, 344, 345, 346, 349, 350, 353, 380.10, 380.14(A),
3 (B) and (C)(2)(b)(iii), and 380.15 and R.S. 36:208(C) and 209(A)(3) and (9) and to
4 repeal R.S. 25:351, 352 and 380.11 and R.S. 36:801.8, relative to the office of the
5 state museum; to provide relative to the board of directors and appointments; to
6 provide for domicile, powers and duties of the office of the state museum and its
7 board; to provide regarding transition of board membership; to provide relative to
8 properties included in the state museum system; to provide regarding use of the
9 museum's collections; to provide relative to residential and commercial leasing of
10 properties; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 25:341, 342, 344, 345, 346, 349, 350, 353, 380.10, 380.14(A), (B)
13 and (C)(2)(b)(iii), and 380.15 are hereby amended and reenacted to read as follows:

14 §341. Establishment and location; purpose; board of directors; appointment;
15 compensation of members; terms; oaths

16 A. The Louisiana State Museum is established as a complex of facilities ~~in~~
17 ~~the cities of Baton Rouge, Natchitoches, New Orleans, Patterson, Thibodaux, and~~
18 ~~Winnfield~~ under the management and supervision of the office of the state museum
19 of the Department of Culture, Recreation and Tourism.

20 B. The Louisiana State Museum shall be a historical, cultural, and
21 educational institution whose primary purpose shall be to collect, preserve, and
22 present, as an educational resource, objects of art, documents, artifacts, and the like
23 that reflect the history, art, and culture of Louisiana.

24 C. The Board of Directors of the Louisiana State Museum, ~~hereinafter~~
25 **hereafter in this Chapter** referred to as the board, is hereby created in the
26 Department of Culture, Recreation and Tourism.

27 D. The board ~~of directors of the Louisiana State Museum~~ shall be composed

1 of members as provided in this Subsection E of this Section. The secretary of the
2 Department of Culture, Recreation and Tourism, or his designee, shall serve as a
3 member of the board. Each additional **appointed** member of the board shall have a
4 knowledge of and interest in art, history, and cultural restoration. Further, each
5 member nominee shall have experience in at least one of the following subject areas:
6 marketing, law, historic preservation, museum sciences, finance, accounting,
7 business administration, fundraising for nonprofits, facility management, community
8 or consumer advocacy, or other pertinent disciplines. ~~Additional members of the~~
9 ~~board shall be appointed by the lieutenant governor as follows:~~

10 **E.(1)The following members of the board shall serve as ex officio**
11 **members:**

12 **(a) The governor, or his designee.**

13 **(b) The lieutenant governor, or his designee.**

14 **(c) The president of the Senate, or his designee.**

15 **(d) The speaker of the House of Representatives, or his designee.**

16 **(2) Beginning January 15, 2029, each of the following members of the**
17 **board shall be appointed by the lieutenant governor from a list of names**
18 **submitted by a nominating entity as follows:**

19 ~~(1) Each of the following shall submit a list of four names, and the lieutenant~~
20 ~~governor shall appoint members in a manner described in this Paragraph:~~

21 ~~(a) Two members~~ **One member selected from a list of three names**
22 ~~nominated by the Friends of the Cabildo.~~

23 ~~(b) One member~~ **selected from a list of three names** nominated by the
24 Louisiana Historical Society.

25 ~~(c) One member~~ **selected from a list of three names** nominated by the
26 Louisiana Historical Association.

27 ~~(d) One member nominated by the Foundation for Historical Louisiana.~~

28 ~~(e)(d)~~ **(d) One member selected from a list of three names** nominated by the
29 Wedell-Williams Memorial Foundation of the ~~Wedell-Williams Aviation and~~
30 ~~Cypress Sawmill Foundation in Patterson, Inc.~~

1 ~~(f)(e)~~ Two members One member selected from a list of three names
2 nominated by the Louisiana Museum Foundation.

3 ~~(g)(f)~~ One member selected from a list of three names nominated by the
4 Friends of the Edward Douglass White Historic Site.

5 ~~(h)(g)~~ One member selected from a list of three names nominated by the
6 Louisiana Sports Hall of Fame Foundation in collaboration with Friends of the
7 Louisiana Sports Hall of Fame and Northwest Louisiana History Museum.

8 ~~(i)(h)~~ One member selected from a list of three names nominated by the
9 Louisiana Civil Rights Museum Advisory Board in collaboration with the Friends
10 of the Louisiana Civil Rights Museum.

11 ~~(j)(i)~~ Two members One member selected from a list of three names
12 nominated by the Friends of Capitol Park Museum.

13 (j) One member selected from a list of three names nominated by the
14 Vieux Carre Commission.

15 ~~(2)(3)~~ Seven members shall be appointed by the lieutenant governor from
16 the state at large in such manner as to provide that membership on the board will
17 reflect the ethnic and cultural diversity of the population of the state and encourage
18 statewide representation on the board.

19 ~~(3)(4)~~(a) Notwithstanding the provisions of Paragraph ~~(1)(2)~~ of this
20 Subsection, should any entity fail to make all or any of the nominations initially
21 required in Paragraph ~~(1)(2)~~ of this Subsection ~~by August 1, 2008, or within thirty~~
22 ~~days of the swearing in of a new lieutenant governor thereafter~~ of its receipt of a
23 request for nominations from the appointing authority, the lieutenant governor
24 may make an appointment for that nominating entity's seat on the board from the
25 state at large.

26 (b) A nominee whose name is submitted by more than one entity concurrently
27 shall automatically be disqualified from consideration so long as the nominee
28 remains on multiple lists. The lieutenant governor shall notify the offending
29 nominating entities of the duplicate nominees in writing and each such nominating
30 entity shall have fifteen days from receipt of such notice to resubmit a list of names

1 for consideration. Should an entity fail to submit an un-duplicated list of four names
2 timely, the lieutenant governor may make the appointment for that nominating
3 entity's seat on the board from the state at large.

4 ~~EF.~~(1) Each appointment by the lieutenant governor ~~and each designee~~ shall
5 be submitted to the Senate for confirmation.

6 (2)(a) For members appointed pursuant to ~~Subsection D~~ **Paragraph (E)(2)**
7 **or (3)** of this Section, the term of office shall be four years after initial terms as
8 provided in Subparagraph (b) of this Paragraph. ~~A member shall serve no more than~~
9 ~~two consecutive terms.~~

10 (b) ~~Five~~ **Four** members shall serve an initial term of one year; ~~five~~ **four**
11 members shall serve an initial term of two years; ~~five~~ **four** members shall serve an
12 initial term of three years; ~~five~~ **four** members shall serve an initial term of four years,
13 as determined by lot at the first meeting of the board **held in calendar year 2029**.

14 ~~FG.~~(1)(a) When a vacancy on the board occurs among the members
15 appointed pursuant to the provisions of Paragraph ~~(D)(1)~~ **(E)(2)** of this Section, the
16 entity that nominated the member shall submit to the lieutenant governor a list of
17 ~~four~~ **three** nominees to fill the vacancy. The lieutenant governor shall fill the
18 vacancy by appointment from among the nominees and the appointment shall be for
19 the remainder of the term.

20 (b) In the event there is more than one position vacant on the board
21 concurrently, a nominee whose name is submitted by more than one entity shall
22 automatically be disqualified from consideration so long as the nominee remains on
23 multiple lists. The lieutenant governor shall notify the offending nominating entities
24 of the duplicate nominees in writing and each such nominating entity shall have
25 fifteen days from receipt of such notice to resubmit a list of names for consideration.
26 Should an entity fail to submit an un-duplicated list of ~~four~~ **three** names timely, the
27 lieutenant governor may make the appointment for that nominating entity's seat on
28 the board from the state at large.

29 **(c) Should a vacancy occur before January 15, 2029, in one of the two**
30 **positions on the board that represent the Friends of the Cabildo, the Louisiana**

Museum Foundation, or the Friends of the Capitol Park Museum, the lieutenant governor shall not appoint a member to fill that vacancy provided that the other position that represents the Friends of the Cabildo, the Louisiana Museum Foundation, or the Friends of the Capitol Park is occupied.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, should any entity fail to make any or all nominations required by Paragraph (1) of this Subsection within thirty days after the vacancy occurs, the lieutenant governor may make an appointment for that nominating entity's seat on the board from the state at large.

(3) When a vacancy occurs among the at-large members appointed pursuant to the provisions of Paragraph ~~(D)(2)~~(E)(3) of this Section, then the lieutenant governor shall appoint a person to fill the vacancy within thirty days of the vacancy. The member appointed to fill a vacancy shall serve the remainder of the unexpired term.

~~G~~H. The members of the board shall serve without compensation, but they shall receive their actual expenses incurred in attending any meeting of the board.

~~H~~I. Each member of the board shall take and subscribe to the oath of office required of state officials.

§342. Domicile; powers and duties of the office of the state museum and the board; buildings and properties administered

A.(1) The board of directors shall meet once each quarter, unless additional meetings are called by the lieutenant governor, the secretary of the Department of Culture, Recreation and Tourism, the chairman of the board, or a quorum of the board.

(2) The board shall adopt bylaws establishing policies and procedures for its governance, including but not limited to the following:

(a) The election and responsibilities of the board's officers, including a chairman and vice chairman to serve terms of two years;

(b) The selection, term, compensation, and responsibilities of advisors to the board; and

1 (c) The creation, appointment, compensation, duties, and functions of
2 standing or special committees of the board.

3 (3) ~~A majority~~ **Ten members** of the board shall constitute a quorum for the
4 transaction of official business. All official actions of the board shall require the
5 affirmative vote of a majority of the members present and voting.

6 (4) The board shall establish and use an identifying seal pertaining to
7 museum business. The board shall not authorize reports and recommendations which
8 include the issue, publication, or distribution of general information documents or
9 pamphlets, which are published on a regular basis and are generally known as
10 newsletters.

11 (5) The board shall ~~assist the secretary and assistant secretary in establishing~~
12 ~~fiscal policies, including but not limited to operational budgets and financial controls~~
13 ~~over existing and new projects~~ **provide advice and counsel on matters related to**
14 **the Louisiana State Museum.**

15 ~~(6)~~**B.(1)** ~~The museum shall be open to the public. The assistant secretary of~~
16 ~~the office of the state museum may establish in accordance with the Administrative~~
17 ~~Procedure Act admission and fees, tour fees, and user or rental fees for any or all~~
18 ~~museum buildings and exhibits to be charged by the museum~~ **that are open to the**
19 **public.**

20 **(2)** Such user ~~or rental~~ fees shall reflect the actual cost of maintenance of the
21 space ~~rented~~ **used** and the market rates for comparable space in the locality of the
22 space ~~rented~~ **used**.

23 ~~(7)~~**(3)** The office of the state museum, through the assistant secretary and in
24 cooperation with nonprofit corporations established to support the Louisiana State
25 Museum, may seek private funding to support the museum's programs.

26 ~~(8)~~**C.** The office of the state museum, through the assistant secretary, shall
27 have authority to contract with consulting experts in the fields of museum
28 administration and conservation of paintings, books and papers, and other decorative
29 arts, and with appraisers, buying agents, designers, engineers, attorneys, accountants,
30 construction and financial experts, and other such persons as may be necessary to

1 carry out the purposes of the museum.

2 ~~(9)~~**D.** Notwithstanding any provisions of law to the contrary and in particular
3 the provisions of R.S. 25:349(B)(5) and R.S. 41:1212, the office of the state
4 museum, through the assistant secretary, may enter into contracts and agreements
5 with any public agency or nonprofit corporation which has been established for the
6 primary purpose of supporting the programs and activities of the Louisiana State
7 Museum, including **but not limited to** the Friends of the Cabildo, ~~Friends of the~~
8 ~~Museums of Local Interest, Friends of the Louisiana Sports Hall of Fame~~
9 **Foundation**, the Wedell-Williams Memorial Foundation, **Inc.**, and the Louisiana
10 Museum Foundation, for the establishment of offices, stores, or exhibits on the
11 property and in the buildings of the museum. The office of the state museum,
12 through the assistant secretary, may also enter into contracts and agreements for joint
13 construction, equipment, maintenance, and financing of such buildings, and may
14 enter into contracts and agreements for the joint financing, supervision, and conduct
15 of cooperative enterprises and undertakings. Any public agency may enter into
16 contracts and agreements with the office of the state museum for the purposes
17 provided in this Paragraph.

18 ~~B.E.~~(1) The domicile of the board shall be the city of New Orleans, ~~provided~~
19 ~~that the office of the state museum may establish additional offices within such~~
20 ~~museum facilities as it may deem advisable, after consultation with the board.~~

21 (2) The secretary of the Department of Culture, Recreation and Tourism and
22 the assistant secretary of the **office of the** state museum shall consult with the board
23 with respect to policies for the state museum.

24 **(3)** The board shall ~~continue to~~ exercise its powers, duties, ~~and~~ functions, **and**
25 **responsibilities** with respect to accessions, deaccessions, loans, and conservation of
26 ~~museum properties and the~~ collections **of the Louisiana State Museum** in
27 accordance with ~~professional museum practices as~~ **the standards** established by the
28 American Alliance of Museums, except as otherwise provided by law; and the
29 members ~~thereof~~ **of the board** shall ~~continue to~~ serve as trustees for the William Irby
30 Trust.

1 (4) In their capacity as trustees for the William Irby Trust, the members
2 of the board are entitled to receive and review information, documentation,
3 reports, and testimony from the office of the state museum and its contractors
4 to verify that the leasing program provided for in R.S. 25:349 and 350 including
5 revenue generated therefrom is administered in accordance with the
6 comprehensive usage plan for commercial leases adopted by the board, the
7 terms and conditions of the trust, and all provisions of applicable law.

8 ~~(3)(5)~~ The office of the state museum, subject to the provisions of R.S.
9 36:909, shall have custody of and shall administer, manage, operate, maintain, and
10 preserve all of the following:

11 (a) The buildings, collections, and exhibitions of the Louisiana State Museum
12 complex located in the city of New Orleans, including but not limited to the Cabildo,
13 the Presbytere, the Lower Pontalba Building, the Jackson House, the Creole House,
14 the Arsenal, Madame John's Legacy, the 1850 House, the Louisiana Civil Rights
15 Museum, the museum storage and curation facility, and the New Orleans Jazz
16 Museum at the Old United States Mint in New Orleans.

17 (b) The Wedell-Williams Memorial Aviation and Cypress Sawmill Museum
18 in Patterson.

19 (c) The Louisiana Political Museum and Hall of Fame.

20 ~~(d) The Louisiana Forestry Museum~~ The Capitol Park Museum.

21 (e) The Louisiana Sports Hall of Fame and Northwest Louisiana History
22 Museum.

23 ~~(f) The Winn Parish Museum.~~

24 ~~(g)~~ The Edward Douglass White Historic Site.

25 ~~(h) The Natchitoches Parish Old Courthouse Museum.~~

26 ~~(i)(g)~~ Other museums, buildings, historic sites, and facilities hereafter
27 established under jurisdiction of the office.

28 ~~E~~F.(1) For the prompt and efficient transaction of business, the board may
29 create from its membership an executive committee which shall consist of the
30 chairman and vice chairman of the board and such additional members as shall be

1 provided in bylaws of the board. The executive committee shall have full authority
2 to act for the board at any scheduled board meeting at which a quorum is not present.
3 ~~The members shall record the proceedings of each meeting of the executive~~
4 ~~committee.~~

5 (2) A majority of the members of the executive committee shall constitute a
6 quorum for the transaction of business.

7 (3) ~~The executive committee shall meet in those months in which the board~~
8 ~~does not meet or at the call of the chairman.~~

9 (4) The executive committee shall consider such matters as are referred to it
10 by the board. It shall execute such orders and resolutions as shall be assigned to it at
11 any meeting of the board, and it shall also take such action as is necessary when an
12 emergency requiring immediate action arises during the interim between board
13 meetings. All acts of the executive committee shall be submitted to the board for
14 ratification or rejection at its next meeting except acts on which the board has
15 delegated to the executive committee full power to act and acts taken at a meeting
16 held because a quorum of the board was not present for a board meeting.

17 ~~DG.~~ The Louisiana State Museum shall cooperate with Louisiana schools and
18 institutions of higher learning in the teaching of Louisiana history and culture.

19 ~~EH.~~ Except as otherwise provided by law, the board and the professional staff
20 of the Louisiana State Museum shall be governed by the standard of museum ethics
21 as promulgated by the American Association **Alliance** of Museums. The board may
22 adopt such further standards of ethics as it deems to be in the best interest of the
23 museum.

24 * * *

25 §344. Operating funds

26 The legislature shall provide sufficient funds for the proper professional
27 operation of the properties of the museum ~~as provided in R.S. 25:342(B)(3)~~
28 **Louisiana State Museum**, according to accepted standards of museum operations
29 and practices as established by the American Association **Alliance** of Museums,
30 including a competent professional, technical, and administrative staff, all members

1 of which shall be subject to the civil service laws.

2 §345. Donations and loans; disposition of abandoned loans

3 A. The office of the state museum, through the assistant secretary and in
4 cooperation with the board and nonprofit organizations established to support the
5 Louisiana State Museum, may seek and accept funds, governmental grants,
6 donations, and contributions of lands, buildings, money, relics, works of art, or other
7 property on behalf of and as additions to the museum either in the form of loans or
8 in the form of donations inter vivos or mortis causa, or may acquire them by
9 purchase, lease, or otherwise, subject to the terms, condition, or limitation contained
10 in the instrument by which such property is acquired. However, the **office of the**
11 **state** museum, through the assistant secretary, shall be empowered and authorized
12 to enter into any and all contracts with any person, lender, or donor that it may deem
13 fit, proper, and necessary to accept and receive such lands, buildings, money, relics,
14 works of art, or other property on behalf of and as additions to the museum. The
15 museum is specifically empowered to serve as the beneficiary of any public trust
16 heretofore or hereafter created for such purpose pursuant to the provisions of R.S.
17 9:2341 through 2347.

18 B. The ~~board~~ **office of the state museum, through the assistant secretary,**
19 is granted the authority of deaccession with respect to any collections of the
20 Louisiana State Museum and for such purpose is specifically exempted from the laws
21 of the state relative to the sale or disposal of surplus property. The board shall
22 establish policies and procedures necessary to carry out this authority in an orderly
23 manner consistent with the standards established by the American ~~Association~~
24 **Alliance** of Museums, except as otherwise provided by law.

25 C.(1) Any property which has been deposited with the Louisiana State
26 Museum, by loan or otherwise, and which has been held by the **office of the state**
27 museum for more than ten years, and to which no person has made claim shall be
28 deemed to be abandoned and, notwithstanding the provisions of Chapter 1 of Title
29 XII of Book III of the Louisiana Civil Code, shall become the property of the **office**
30 **of the state** museum, provided that the **office of the state** museum has complied

1 with the following provisions:

2 (2) At least once a week for two consecutive weeks, the **office of the state**
3 museum shall publish in at least one newspaper of general circulation in the parish
4 in which the particular museum facility is located a notice and listing of the property.

5 The notice shall contain all of the following:

6 (a) The name and last known address, if any, of the last known owner or
7 depositor of the property.

8 (b) A description of the property.

9 (c) A statement that if proof of claim is not presented by the owner to the
10 **office of the state** museum and if the owner's right to receive such property is not
11 established to the satisfaction of the **office of the state** museum within sixty-five
12 days from the date of the second published notice, the property will be deemed to be
13 abandoned and shall become the property of the **office of the state** museum.

14 (3) If no valid claim has been made to the property within sixty-five days
15 from the date of the second published notice, title to the property shall vest in the
16 **office of the state** museum free from all claims of the owner and all persons
17 claiming through or under him.

18 §346. Use of museum's collections

19 The collections of the ~~museum~~ **Louisiana State Museum** may be lent in part
20 subject to ~~approval~~ **and in accordance with the collections management policy**
21 **approved** by the board. The office of the state museum shall ~~insure~~ **ensure** proper
22 safeguards for their maintenance and return and shall ~~insure~~ **ensure** that proper
23 records are kept. ~~The collections shall be available for the use of educational~~
24 ~~projects, subject to the approval of the board.~~

25 §349. Commercial leases; New Orleans French Quarter

26 A. Notwithstanding any provisions of law to the contrary, and in particular
27 the provisions of R.S. 41:1212, the ~~board of directors of the Louisiana State Museum~~
28 **office of the state museum** is authorized to lease **or contract with a qualified real**
29 **estate or property management company to lease**, for any purposes other than oil,
30 gas, or other mineral development, commercial space within ~~or on the~~ **the Lower**

1 **Pontalba Building and other** properties located in the New Orleans French Quarter
2 of which the board has title to or custody or possession **under the ownership,**
3 **management, jurisdiction, or possession of the office of the state museum,**
4 without advertising for and receiving public bids for such leases, provided that such
5 leases are negotiated for and executed according to the terms and conditions
6 contained in this Section.

7 B.(1) ~~The board shall establish a comprehensive usage plan and a lease~~
8 ~~program for the commercial space within or on the properties located in the New~~
9 ~~Orleans French Quarter of which the board has title to or custody or possession. The~~
10 ~~plan shall be in compliance with all of the following:~~

11 (a) ~~Be compatible with the historic nature of the museum properties.~~

12 (b) ~~Establish criteria for the acceptance or rejection of lease applications.~~

13 (c) ~~Be presented at a public meeting of the board with prior notice, by public~~
14 ~~advertisement at least once no more than ten days before such meeting is held, that~~
15 ~~such plan will be discussed at such meeting.~~

16 (d) ~~Be available to the public, in writing, upon request.~~

17 (2) ~~No earlier than one month after the adoption of such plan, the board shall~~
18 ~~review applications for commercial leases at a public meeting after notice by public~~
19 ~~advertisement at least once no more than ten days before such meeting is held, that~~
20 ~~such applications will be accepted at such meeting.~~

21 (3) ~~No earlier than one month after receiving such commercial lease~~
22 ~~applications the board shall render its decision to accept, reject, or defer such~~
23 ~~commercial lease applications at a public meeting after prior notice by public~~
24 ~~advertisement at least once no more than ten days before such meeting is held, that~~
25 ~~such decision will be rendered at such meeting.~~

26 (4) ~~In making its decision the board shall determine all of the following:~~

27 (a) ~~The financial qualifications of applicants.~~

28 (b) ~~The compatibility of the proposed lease with the historic integrity,~~
29 ~~structure, and safety of the property, the relationship of the proposed commercial~~
30 ~~lease with other commercial leases on the property.~~

1 ~~(c) The impact of the proposed lease on the historic character of the~~
2 ~~neighborhood in which the properties are located.~~

3 ~~(5) The board shall fix terms and establish minimum rental fees as~~
4 ~~determined in the comprehensive usage plan.~~

5 ~~(6) The board shall accept no applications from nor shall it approve any lease~~
6 ~~with any state official, board member or his spouse or child, or any person of which~~
7 ~~he is an officer, director, trustee, partner, or employee, or of which he has a~~
8 ~~substantial personal economic interest, as distinguished from that of a general class~~
9 ~~or general group of persons, of which he may be reasonably expected to know. The~~
10 ~~provisions of this Paragraph are illustrative and not exclusive.~~

11 ~~(7) All commercial leases approved by the board shall be reviewed by the~~
12 ~~attorney general and no lease shall be finally approved by the board unless approved~~
13 ~~by the attorney general as to form and legality.~~

14 Any and all commercial leases shall be compatible with a comprehensive
15 usage plan approved by the board of directors of the Louisiana State Museum.
16 The comprehensive usage plan shall include criteria used to evaluate an
17 application for a commercial lease. The evaluation criteria may include but
18 shall not be limited to:

19 (a) The compatibility of the proposed use of the commercial space with
20 the historic nature of the museum property.

21 (b) The relationship and impact of the proposed commercial use on the
22 integrity and safety of the building.

23 (c) The anticipated effect of the proposed commercial use on the integrity
24 and safety of the building.

25 (d) The viability of the applicant's business plan and potential for
26 revenue generation.

27 (e) The financial qualifications of the applicant.

28 (f) Whether the application, proposed use, or resulting lease will result
29 or is likely to result in a violation of the Code of Governmental Ethics or any
30 other applicable law.

1 C. Following its determination that a commercial space is or will become
2 available for lease, the office of the state museum shall provide reasonable
3 public notice and an opportunity to submit applications to lease such
4 commercial space.

5 (1) The public notice shall be posted on the website of the department.

6 (2) The public notice shall provide the date the commercial space will be
7 available for lease; the address of the available commercial space; and how the
8 public may obtain additional information such as lease terms, application
9 requirements, and evaluation criteria.

10 D. All commercial leases shall be reviewed and approved by the attorney
11 general as to form and legality.

12 §350. Residential leases; New Orleans French Quarter; State Museum Board has
13 title, custody, or possession

14 A. Notwithstanding any provisions of law to the contrary, and in particular
15 the provisions of R.S. 41:1212, the ~~board of directors of the Louisiana State Museum~~
16 ~~is hereby~~ office of the state museum is authorized to lease for any residential
17 purposes, or contract with a qualified property management company to lease
18 residential space within the Lower Pontalba Building ~~of which the board has title to~~
19 ~~or custody or possession of~~; without advertising for and receiving public bids for
20 such leases, provided that such leases are negotiated ~~for~~ and executed according to
21 the terms ~~and~~ or conditions set forth and contained in this Section.

22 ~~(1) The board shall receive applications from private individuals only~~
23 Applications for residential leases in the Lower Pontalba Building, ~~and shall~~
24 ~~approve or reject such applications~~ shall be approved or rejected based on the
25 financial qualifications ~~and~~ or prior lease experience of ~~such applicants~~ the
26 applicant.

27 (2) Approved applications shall be placed on file according to the date
28 received and applicants shall be shown available residential lease space according
29 to order of receipt. ~~Upon declination or disqualification of an applicant, the board~~
30 ~~shall show available residential lease space to the next applicant in order of receipt.~~

1 ~~The board may remove any applicant from the file who has declined the opportunity~~
2 ~~to lease on two or more occasions.~~

3 **B. Authorized use of such residential space also specifically includes use**
4 **by a public agency for a public purpose that benefits the Louisiana State**
5 **Museum.**

6 **C. The office of the state museum shall provide reasonable public notice**
7 **and an opportunity to submit applications to lease such residential space.**

8 **(1) The public notice shall be posted on the website of the department.**

9 **(2) The public notice shall provide a description and address of the**
10 **available residential space; and how the public may obtain additional**
11 **information such as lease terms, application requirements, and evaluation**
12 **criteria.**

13 * * *

14 §353. Louisiana Sports Hall of Fame **and Northwest Louisiana History Museum**

15 A. The Louisiana Sports Hall of Fame **and Northwest Louisiana History**
16 **Museum** is established as a museum, ~~hereinafter~~ **hereafter** referred to **in this**
17 **Section** as ~~"hall of fame"~~ **"museum"**, under the jurisdiction of the office of the state
18 museum of the Department of Culture, Recreation and Tourism and domiciled in
19 Natchitoches, Louisiana.

20 B. The purposes of the ~~hall of fame~~ **museum** shall ~~be as follows~~ **include:**

21 (1) Preserve and maintain the names and accomplishments of outstanding
22 Louisiana athletes and sports personalities.

23 (2) Honor individuals inducted into the ~~hall of fame~~ **Louisiana Sports Hall**
24 **of Fame** whose achievements in sports have brought distinction to themselves and
25 to the state of Louisiana.

26 (3) Establish and maintain a permanent archive for the collection and display
27 of memorabilia related to the lives and careers of sports legends who are elected for
28 induction to the ~~hall of fame~~ **Louisiana Sports Hall of Fame.**

29 **(4) Preserve and present the history and culture of Northwest Louisiana.**

30 C.~~(1)~~ A nonprofit organization ~~may be established for supporting~~ **to support**

1 the programs and activities of the museum, referred to in this Section as "Friends of
2 the Louisiana Sports Hall of Fame", which are necessary to maintain the rich
3 heritage of athletics and capture the achievements of the greatest champions in
4 Louisiana history.

5 (2) Friends of the Louisiana Sports Hall of Fame may:

6 (a)(1) Maintain the property of the hall of fame and all portraits,
7 memorabilia, and collections contained in the museum.

8 (b)(2) Provide for the nomination process for and election of inductees to the
9 hall of fame.

10 (c)(3) Retain and expend any self-generated revenues derived from the
11 activities of the hall of fame as specified by cooperative agreement pursuant to R.S.
12 25:342(A)(8)(D), including the annual induction ceremony to the hall of fame.

13 D. The office of the state museum shall provide sufficient funds for the
14 operation of the museum facilities as set forth in this Section; however, the office of
15 the state museum shall have no obligation nor make any provision for such operation
16 until **unless** state funds are specifically appropriated for this purpose.

17 * * *

18 §380.10. Establishment and location; purpose and use

19 A. The Edward Douglass White Historic Site is established as a facility in the
20 parish of Lafourche under the overall jurisdiction of the Department of Culture,
21 Recreation and Tourism, **office of the state museum**, as more specifically provided
22 in this Chapter and in R.S. 36:801.8 **R.S. 25:342**.

23 B. The Edward Douglass White Historic Site shall be a prehistorical,
24 historical, cultural, scientific, and technological educational institution in the office
25 of the state museum of the Department of Culture, Recreation and Tourism whose
26 primary purpose shall be to research, collect, preserve, and present, as an educational
27 resource, documents, artifacts, objects of art, buildings, and landscape and the like
28 that reflect the social, political, and legal history, cultural history, natural history, and
29 culture of Louisiana emphasizing the southern region of Louisiana.

30 C. All references to the Edward Douglass White State Commemorative Area

1 shall be deemed to refer to and shall be replaced by the term Edward Douglass White
2 Historic Site.

3 * * *

4 §380.14. Donations and loans; disposition of property

5 A. The Board of Directors of the Louisiana State Museum office of the state
6 museum may solicit and accept funds, governmental grants, donations, and
7 contributions of lands, buildings, monies, relics, works of art, or other property on
8 behalf of and as additions to the Edward Douglass White Historic Site either in the
9 form of loans or in the form of donations inter vivos or mortis causa, and may
10 acquire them by purchase, lease, or otherwise, subject to the terms, conditions, or
11 limitations contained in the instrument by which such property is acquired. However,
12 the ~~board~~ office of the state museum may enter into any and all contracts with any
13 person, lender, or donor that it may deem fit, proper, and necessary to accept and
14 receive such lands, buildings, monies, relics, works of art, or other property on behalf
15 of and as additions to the Edward Douglass White Historic Site. The Edward
16 Douglass White Historic Site may serve as the beneficiary of any public trust
17 heretofore or hereafter created for such purpose pursuant to the provisions of R.S.
18 9:2341 et seq.

19 B. The ~~board~~ office of the state museum is granted the authority of
20 deaccession with respect to any collection of the Edward Douglass White Historic
21 Site and, for such purpose, is exempted from laws relative to the sale or disposal of
22 surplus property. The board shall establish policies and procedures necessary to carry
23 out this authority in an orderly manner.

24 C.

25 * * *

26 (2)

27 * * *

28 (b) The notice shall contain:

29 * * *

30 (iii) A statement that if proof of claim is not presented by the claimant to the

board and if the claimant's right to receive such property is not established to the satisfaction of the ~~board~~ **office of the state museum** within sixty-five days from the date of the second published notice, the property will be deemed to be abandoned and shall become the property of the Edward Douglass White Historic Site.

* * *

§380.15. Use of collections

Any collection of the Edward Douglass White Historic Site may be lent in part, subject to ~~approval of~~ **and in accordance with the collections management policies approved by** the board. The board shall ~~insure~~ **ensure** proper safeguards for its maintenance and return and shall ~~insure~~ **ensure** that proper records are kept. The collections shall be available for use in educational projects, subject to the approval of the board.

Section 2. R.S. 36:208(C) and 209(A)(3) and (9) are hereby amended and reenacted to read as follows:

§208. Offices; purposes and functions

* * *

C. The office of the state museum shall administer, manage, operate, and maintain the Louisiana State Museum, including all buildings, collections, and exhibitions of the Louisiana State Museum complex in New Orleans and other museums which may be established under the jurisdiction of the museum; except that the board of directors of the Louisiana State Museum shall ~~continue to~~ exercise its powers, duties, and functions ~~with respect to accessions and deaccessions of museum properties and collections, and the members thereof shall continue to serve as trustees for the William Irby Trust~~ **as provided by law.**

* * *

§209. Transfer of boards, commissions, departments, and agencies to Department of Culture, Recreation and Tourism

A. The following agencies are transferred to and hereafter shall be within the Department of Culture, Recreation and Tourism in accordance with the provisions of R.S. 36:901 et seq. except as otherwise provided by this Subsection:

* * *

(3) The Board of Directors of the Louisiana State Museum (R.S. 25:341 et seq.). The board shall ~~continue to exercise those~~ **its** powers, duties, ~~and~~ functions, **and responsibilities** with respect to ~~accessions, deaccessions, loans, and conservation of the buildings, collections, and exhibitions~~ **the collections** of the Louisiana State Museum ~~which it is authorized by law to exercise, all in accordance with professional museum practices as~~ **the standards** established by the American Association **Alliance** of Museums, except as otherwise provided by law; and the members of the board shall ~~continue to~~ serve as trustees for the William Irby Trust.

* * *

(9) The Louisiana Civil Rights Museum Advisory Board (R.S. 25:841 et seq.). The board shall exercise ~~and perform~~ its powers, duties, functions, and responsibilities in accordance with ~~accepted standards of museum operations and practices as~~ **the standards** established by the American Association **Alliance** of Museums.

* * *

Section 3. R.S. 25:351, 352, and 380.11 are hereby repealed.

Section 4. R.S. 36:801.8 is hereby repealed.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____