

2016 Regular Session

SENATE BILL NO. 247

BY SENATOR LAFLEUR

MUSEUMS. Transfers the jurisdiction of the Mansfield Female College Museum from the Department of State to the Department of Culture, Recreation and Tourism. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 25:380.91, 380.92, 380.93(B)(5), 380.94, and 380.95(A) and
3 R.S. 36:801.16, to enact R.S. 36:209(B)(4), and to repeal R.S. 36:744(W), relative
4 to the Mansfield Female College Museum; to provide for the transfer of jurisdiction
5 of the museum from the Department of State to the Department of Culture,
6 Recreation and Tourism; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 25:380.91, 380.92, 380.93(B)(5), 380.94, and 380.95(A) are hereby
9 amended and reenacted to read as follows:

10 §380.91. Establishment and location; purpose and use

11 A. The Mansfield Female College Museum is established as a facility in the
12 town of Mansfield, parish of DeSoto, under the overall jurisdiction of the
13 Department of State **Culture, Recreation and Tourism** as more specifically
14 provided in this Chapter and in R.S. 36:801.16.

15 B. The Mansfield Female College Museum shall be a historical, cultural,
16 scientific, and technological educational institution whose primary purpose shall be
17 to research, collect, preserve, and present, as an educational resource, the books and

1 papers, pictures and photographs, documents, artifacts, objects of art, and the like
2 that reflect the social, cultural, and economic history of women's education in
3 northwest Louisiana and the DeSoto Parish area in particular.

4 §380.92. Governing board; creation; domicile; appointment and compensation of
5 members

6 A. The governing board of the Mansfield Female College Museum is hereby
7 created in the Department of ~~State~~ **Culture, Recreation and Tourism**.

8 B. The domicile of the board shall be in the parish of DeSoto.

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

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

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

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

22 D. Each member shall serve until his successor is appointed and takes office.

23 E. Each appointment made by the ~~secretary of state~~ **lieutenant governor**
24 shall be subject to confirmation by the Senate.

25 F. Members of the board shall serve without compensation.

26 §380.93. Duties and powers of the board

27 * * *

28 B. The board shall:

29 * * *

1 (5) Advise the ~~secretary of state~~ **lieutenant governor** on all matters relating
2 to the operations of the Mansfield Female College Museum.

3 * * *

4 §380.94. Operating funds; appropriations by the legislature

5 A. The Department of State **Culture, Recreation and Tourism** shall include
6 in its annual budget request, required by R.S. 39:32, a request for funds necessary for
7 support of the Mansfield Female College Museum. The governor shall include in the
8 executive budget submitted to the legislature sufficient funding for the support of
9 operations of the museum.

10 B. Funds appropriated by the legislature to the Department of State **Culture,**
11 **Recreation and Tourism** for operation of the Mansfield Female College Museum
12 shall be used solely for that purpose and in accordance with the budget plan
13 developed by the board to maintain accreditation standards. No administrative costs
14 of any kind shall be charged by the Department of State **Culture, Recreation and**
15 **Tourism** for any services associated with placement of the museum within the
16 jurisdiction of the department.

17 C.(1) If sufficient funds necessary for the operation of the Mansfield Female
18 College Museum are not appropriated by the legislature, and funds from other local,
19 public, or private sources are not available for this purpose, the Department of State
20 **Culture, Recreation and Tourism** is authorized to temporarily close the museum
21 to the public until such time as sufficient funds necessary for the operation of the
22 museum are appropriated by the legislature. The Department of State **Culture,**
23 **Recreation and Tourism** shall maintain the museum during any period of
24 temporary closure.

25 (2) The Department of State **Culture, Recreation and Tourism** may accept
26 and use, in accordance with law, gifts, grants, bequests, donations, endowments, or
27 funds from any public or private source to support the operations of the museum.

28 §380.95. Donations and loans; disposition of property

29 A. The Department of State **Culture, Recreation and Tourism** and the

1 board, jointly or separately, may solicit and accept funds, governmental grants,
 2 donations, and contributions of lands, buildings, monies, artifacts, relics, audio and
 3 video recordings, motion picture film, works of art, or other property on behalf of
 4 and as additions to the Mansfield Female College Museum either in the form of loans
 5 or in the form of donations inter vivos or mortis causa, and the Department of ~~State~~
 6 **Culture, Recreation and Tourism** may acquire them by purchase, lease, or
 7 otherwise, subject to the terms, conditions, or limitations contained in the instrument
 8 by which such property is acquired. However, the board may enter into any and all
 9 contracts with any person, lender, or donor that it may deem fit, proper, and
 10 necessary to accept and receive such lands, buildings, monies, artifacts, relics, audio
 11 and video recordings, motion picture film, works of art, or other property on behalf
 12 of and as additions to the Mansfield Female College Museum. The museum may
 13 serve as the beneficiary of any public trust heretofore or hereafter created for such
 14 purpose pursuant to the provisions of R.S. 9:2341 et seq.

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 16 Section 2. R.S. 36:801.16 is hereby amended and reenacted and R.S. 36:209(B)(4)
 17 is hereby enacted to read as follows:

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

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20
21 B.

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22 **(4) The Mansfield Female College Museum (R.S. 25:380.91 et seq.) and**
 23 **its governing board are placed within the Department of Culture, Recreation**
 24 **and Tourism, as provided in R.S. 36:801.16.**

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26 §801.16. Governing board of the Mansfield Female College Museum

27 A.(1) The Mansfield Female College Museum is hereby placed within the
 28 Department of ~~State~~ **Culture, Recreation and Tourism**, subject to the provisions
 29 of this Section and Chapter 5-L of Title 25 of the Louisiana Revised Statutes of

1 1950.

2 (2) The governing board of the Mansfield Female College Museum is hereby
3 placed within the Department of State **Culture, Recreation and Tourism** and shall
4 exercise all powers, duties, functions, and responsibilities provided or authorized for
5 it by law which are in the nature of policymaking, rulemaking, regulation,
6 enforcement, or adjudication. The board shall exercise all advisory powers, duties,
7 and functions provided for it by law. The board shall administer and implement all
8 programs provided or authorized by law for it or for the Mansfield Female College
9 Museum. The board shall exercise the powers, duties, functions, and responsibilities
10 and shall administer and implement the programs authorized by this Section
11 independently of the **lieutenant governor or** secretary, except as otherwise provided
12 in this Section. The board shall be responsible for the performance and
13 administration of its day-to-day operations, except that the **lieutenant governor or**
14 secretary of the Department of State **Culture, Recreation and Tourism** shall be
15 responsible for those matters which are in the nature of accounting, payroll, budget
16 control, procurement, data processing, and personnel management and shall have the
17 authority to transfer or implement any or all of said functions through the **lieutenant**
18 **governor or** secretary and the department.

19 B. Nothing shall authorize monies, property, or personnel budgeted or
20 assigned to the board or to the museum to be transferred to or to be used by the
21 **lieutenant governor or** department without prior approval of the board.

22 C. The board may solicit and accept gifts and donations for the purposes of
23 the Mansfield Female College Museum. Any funds so accepted may be expended by
24 the board or by the Department of State **Culture, Recreation and Tourism** as
25 otherwise provided by law.

26 D.(1) The provisions of R.S. 36:810 and 811 shall be applicable to the
27 museum and its governing board placed within the Department of State **Culture,**
28 **Recreation and Tourism** by this Section.

29 (2) No records, books, or papers stored in the museum vault or on museum

