

2016 Regular Session

HOUSE BILL NO. 810

BY REPRESENTATIVE NORTON

MUSEUMS: Transfers the Shreveport Exhibit Museum and the Old State Capitol from the Department of State to the Department of Culture, Recreation and Tourism

1 AN ACT

2 To amend and reenact R.S. 25:371, 372(A), 373(A), (B), and (C), 374(A)(1) and (B),
3 375(A), 376(B), 377(A), 379(A), 379.1(A), (C)(2) and (D), 379.2(B)(5), 379.3, and
4 379.4, to enact R.S. 36:209(C)(3) and (4), and to repeal R.S. 36:744(F), (H), (I), and
5 (J), 801.6 and 919.1 relative to the Department of Culture, Recreation, and Tourism;
6 to provide relative to the Old State Capitol; to provide relative to the Louisiana State
7 Exhibit Museum; to place the Old State Capitol and the Louisiana State Exhibit
8 Museum under the jurisdiction of the Department of Culture, Recreation, and
9 Tourism; to provide with respect to definitions; to provide relative to the powers and
10 duties of the lieutenant governor; to provide relative to the powers and duties of the
11 secretary of state; to place the Advisory Board of the Old State Capitol within the
12 Department of Culture, Recreation and Tourism; to place the Regional Museum
13 Advisory Board within the Department of Culture, Recreation, and Tourism; and to
14 provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 25:371, 372(A), 373(A), (B), and (C), 374(A)(1) and (B), 375(A),
17 376(B), 377(A), 379(A), 379.1(A), (C)(2) and (D), 379.2(B)(5), 379.3, and 379.4 are hereby
18 amended and reenacted to read as follows:

19 §371. Definitions

For purposes of this Chapter the following terms shall have the meaning indicated unless the context clearly provides otherwise:

(1) "Board" shall mean the Advisory Board of the Old State Capitol.

(2) "Department" shall mean the Department of ~~State~~ Culture, Recreation, and Tourism.

(3) "Secretary" shall mean the secretary of ~~state~~ the Department of Culture, Recreation, and Tourism.

§372. Establishment and location; purpose and use

A. The Old State Capitol is established as a facility in the city of Baton Rouge under the overall jurisdiction of the Department of State, as more specifically provided in this Chapter and in R.S. ~~36:919~~ 36:901.

* * *

§373. Advisory board; appointment; compensation of members; terms

A. The Advisory Board of the Old State Capitol is hereby created in the ~~Department of State~~ department.

B. The Advisory Board of the Old State Capitol shall be composed of the following members, all of whom shall have a knowledge of and interest in art, history, including political history, and cultural restoration. The members of the board shall be as follows:

(1) Two members shall be appointed by the ~~secretary of state~~ lieutenant governor from each Public Service Commission district.

(2) Five members shall be appointed by the ~~secretary of state~~ lieutenant governor from the state at large.

(3) Two members from a list of five submitted by the president of Southern University shall be appointed by the ~~secretary of state~~ lieutenant governor.

(4) The ~~secretary of state~~ lieutenant governor or his designee shall be an ex officio member with all powers of other members.

C. Each appointed member shall be confirmed by the Senate and shall serve a term concurrent with that of the ~~secretary of state~~ lieutenant governor. The state

1 archivist shall serve during his tenure in that office. Each member shall serve until
2 his successor is appointed and takes office.

3 * * *

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

5 A.(1) The board shall meet once each quarter, unless additional meetings are
6 called by the ~~secretary of state or the governor~~ lieutenant governor.

7 * * *

8 B. The board shall advise the secretary ~~of state~~ on all matters relating to the
9 operations of the Old State Capitol and shall have such other functions as are
10 otherwise provided in this Chapter and R.S. ~~36:919~~ 36:901.

11 §375. Old State Capitol, administration; secretary ~~of state~~, powers and functions

12 A. The ~~Old State Capitol~~ office of the state museum shall cooperate with
13 Louisiana schools and institutions of higher learning in the teaching of Louisiana
14 history and culture.

15 * * *

16 §376. Operating funds

17 * * *

18 B.(1) If sufficient funds necessary for the operation of the Old State Capitol
19 are not appropriated by the legislature, and funds from other local, public, or private
20 sources are not available for this purpose, the ~~Department of State~~ department is
21 authorized to temporarily close the Old State Capitol to the public until such time as
22 sufficient funds necessary for the operation of the Old State Capitol are appropriated
23 by the legislature. The ~~Department of State~~ department shall maintain the Old State
24 Capitol during any period of temporary closure.

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

28 §377. Donations and loans; disposition of abandoned loans

1 A. The secretary ~~of state~~ and the board, jointly or separately, may solicit and
2 accept funds, governmental grants, donations, and contributions of lands, buildings,
3 monies, relics, works of art, or other property on behalf of and as additions to the Old
4 State Capitol either in the form of loans or in the form of donations inter vivos or
5 mortis causa, and the secretary may acquire them by purchase, lease, or otherwise,
6 subject to the terms, conditions, or limitations contained in the instrument by which
7 such property is acquired. However, the secretary shall be empowered and
8 authorized to enter into any and all contracts with any person, lender, or donor that
9 he may deem fit, proper, and necessary to accept and receive such lands, buildings,
10 monies, relics, works of art, or other property on behalf of and as additions to the Old
11 State Capitol. The ~~Old State Capitol~~ department is specifically empowered to serve
12 as the beneficiary of any public trust heretofore or hereafter created for such purpose
13 pursuant to the provisions of R.S. 9:2341 through 9:2347.

14 * * *

15 §379. Establishment and location; purpose and use

16 A. The facility known prior to June 6, 1991, as the Louisiana State Museum-
17 Shreveport is hereby renamed the Louisiana State Exhibit Museum. The Louisiana
18 State Exhibit Museum is established as a facility in the city of Shreveport under the
19 overall jurisdiction of the Department of ~~State~~ Culture, Recreation, and Tourism, as
20 more specifically provided in this Chapter and in R.S. ~~36:801-6~~ 36:901.

21 * * *

22 §379.1. Regional museum governing board; creation; domicile; appointment and
23 compensation of members

24 A. The Regional Museum ~~Governing~~ Advisory Board of the Louisiana State
25 Exhibit Museum is hereby created in the Department of ~~State~~ Culture, Recreation,
26 and Tourism.

27 * * *

28 C.

* * *

(2) The board shall be composed and the members selected as follows:

(a) Ten members shall be appointed by the ~~secretary of state~~ lieutenant governor to serve two-year terms from an area composed of the following parishes: Bienville, Bossier, Caddo, Claiborne, DeSoto, Lincoln, Natchitoches, Red River, Sabine, and Webster.

(b) One member shall be appointed by the ~~secretary of state~~ lieutenant governor to serve a two-year term from among the members of the Louisiana State Fair Board.

(c) Ten members shall be appointed by the ~~secretary of state~~ lieutenant governor to serve four-year terms from a list of fifteen names submitted by the Friends of the Louisiana State Exhibit Museum and Discovery Center.

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

D. Each appointed member shall be confirmed by the Senate and those members serving four-year terms shall serve terms concurrent with the lieutenant governor. Each member shall serve until his successor is appointed and takes office.

* * *

§379.2. Duties and powers of the board

* * *

B. The board shall:

* * *

(5) Advise the ~~secretary of state~~ assistant secretary of the office of the state museum on all matters relating to the operations of the Louisiana State Exhibit Museum and shall have such other functions as are otherwise provided in this Chapter and R.S. ~~36:801-6~~ 36:901.

* * *

§379.3. The Louisiana State Exhibit Museum, administration; ~~Department of State~~ Department of Culture, Recreation, and Tourism, powers and functions

1 A. The Louisiana State Exhibit Museum shall cooperate with Louisiana
2 schools and institutions of higher education in the teaching of social history, cultural
3 history, natural history, art, science, technology, and the culture of Louisiana
4 emphasizing the northwest region of Louisiana.

5 B. The ~~board~~ office of the state museum shall have custody of, and, ~~together~~
6 ~~with the Department of State~~ shall administer, manage, operate, maintain, and
7 preserve the buildings, collections, and exhibitions of the Louisiana State Exhibit
8 Museum located in the city of Shreveport including, but not limited to, the museum.

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

21 §379.4. Operating funds; appropriations by the legislature

22 A. The Department of ~~State~~ Culture, Recreation, and Tourism shall include
23 in its annual budget request submission, as required by R.S. 39:32, a request for
24 funds necessary for support of the Louisiana State Exhibit Museum. The governor
25 shall include in the executive budget submitted to the legislature sufficient funding
26 for the support of operations of the museum.

27 B.(1) If sufficient funds necessary for the operation of the Louisiana State
28 Exhibit Museum are not appropriated by the legislature, and funds from other local,
29 public, or private sources are not available for this purpose, the Department of ~~State~~

1 Culture, Recreation, and Tourism is authorized to temporarily close the museum to
 2 the public until such time as sufficient funds necessary for the operation of the
 3 museum are appropriated by the legislature. The Department of ~~State~~ Culture,
 4 Recreation, and Tourism shall maintain the museum during any period of temporary
 5 closure.

6 (2) The ~~Department of State~~ office of the state museum may accept and use,
 7 in accordance with law, gifts, grants, bequests, donations, endowments, or funds
 8 from any public or private source to support the operations of the museum.

9 Section 2. R.S. 36:209(C)(3) and (4) are enacted to read as follows:

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

12 * * *

13 C. The following agencies, as defined in R.S. 36:3, are transferred to and
 14 hereafter shall be within the Department of Culture, Recreation and Tourism, as
 15 provided in Part III of Chapter 22 of this Title:

16 * * *

17 (3) The Advisory Board of the Old State Capitol (R.S. 25:373).

18 (4) The Regional Museum Advisory Board (R.S. 25:379.1).

19 * * *

20 Section 3. R.S. 36:744(F), (H), (I), and (J), 801.6, and 919.1 are hereby repealed in
 21 their entirety.

DIGEST

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

HB 810 Original

2016 Regular Session

Norton

Abstract: Transfers the Louisiana State Exhibit Museum and the Old State Capitol to the jurisdiction of the Department of Culture, Recreation, and Tourism.

Present law provides for the establishment of the Old State Capitol in the city of Baton Rouge under the overall jurisdiction of the Dept. of State. Further provides for the creation of the Advisory Board of the Old State Capitol within the Dept. of State. Also provides for the powers and duties of the Dept. of State relative to the funding, maintenance, and

operation of the Old State Capitol. Further provides relative to the powers and duties of the secretary of state relative to the board.

Present law provides for the establishment of the Louisiana State Exhibit Museum in the city of Shreveport under the overall jurisdiction of the Dept. of State. Further provides for the creation of the Regional Museum Governing Board in the Dept. of State. Also provides for the powers and duties of the Dept. of State relative to the funding, maintenance, and operation of the Louisiana State Exhibit Museum.

Proposed law provides for removing the Old State Capitol from the jurisdiction of the Dept. of State. Further provides for placing the Old State Capitol under the jurisdiction of the Dept. of Culture, Recreation, and Tourism. Provides for placing the Advisory Board of the Old State Capitol within the Dept. of Culture, Recreation, and Tourism. Also provides for replacing the secretary of state with the lieutenant governor as the individual who is authorized to carry out certain powers and functions relative to the board.

Proposed law provides for removing the Louisiana State Exhibit Museum from the jurisdiction of the Dept. of State. Further provides for placing the Louisiana State Exhibit Museum under the jurisdiction of the Dept. of Culture, Recreation, and Tourism. Provides for placing the Regional Museum Advisory Board within the Dept. of Culture, Recreation, and Tourism. Also provides for replacing the secretary of state with the lieutenant governor as the individual who is authorized to carry out certain powers and functions relative to the board.

(Amends R.S. 25:371, 372(A), 373(A), (B), and (C), 374(A)(1) and (B), 375(A), 376(B), 377(A), 379(A), 379.1(A), (C)(2) and (D), 379.2(B)(5), 379.3, and 379.4; Adds R.S. 36:209(C)(3) and (4); Repeals R.S. 36:744(F), (H), (I), and (J), 801.6, and 919.1)