SENATE BILL NO. 153

BY SENATOR MARTINY

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

1	AN ACT
2	To amend and reenact the introductory paragraph of R.S. 25:341(D), (1) and (2), (E), and
3	(F)(3), 342(A)(5), (6), (7), and (8), (B)(1) and (2), 343, and R.S. 42:1111(A)(1), and
4	to enact R.S. 25:342(A)(9), relative to the Louisiana State Museum; to provide for
5	the board of directors; to provide for terms; to provide for powers and duties; to
6	provide for the museum director; to provide for an exception to the Ethics Code; and
7	to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. The introductory paragraph of R.S. 25:341(D), (1) and (2), (E), and (F)(3),
10	342(A)(5), (6), (7), and (8), (B)(1) and (2), and 343 are hereby amended and reenacted, and
11	R.S. 25:342(A)(9) is hereby enacted to read as follows:
12	§341. Establishment and location; purpose; board of directors; appointment;
13	compensation of members; terms; oaths
14	* * *
15	D. The Board of Directors of the Louisiana State Museum shall be composed
16	of members as provided in this Subsection. The secretary of the Department of
17	Culture, Recreation and Tourism shall serve as a member of the board. Each
18	additional member of the board shall have a knowledge of and interest in art, history,
19	and cultural restoration. Further, each member nominee shall have experience
20	in at least one of the following subject areas: marketing, law, historic
21	preservation, museum sciences, finance, accounting, business administration,
22	fundraising for nonprofits, facility management, community or consumer
23	advocacy, or other pertinent disciplines. Additional members of the board shall
24	be appointed by the lieutenant governor as follows:
25	(1) Each of the following shall submit a list of four names, and the lieutenant

1	governor shall appoint one member from each list members in a manner described
2	in this Paragraph:
3	(a) The Two members nominated by the Friends of the Cabildo.
4	(b) The One member nominated by the Louisiana Historical Society.
5	(c) The One member nominated by the Louisiana Historical Association.
6	(d) The One member nominated by the Foundation for Historical
7	Louisiana , Inc .
8	(e) The One member nominated by the Wedell-Williams Memorial
9	Foundation of the Wedell-Williams Aviation and Cypress Sawmill Foundation in
10	Patterson.
11	(f) The Two members nominated by the Louisiana Museum Foundation.
12	(g) The One member nominated by the Friends of the Edward Douglass
13	White Historic Site.
14	(h) The One member nominated by the Louisiana Sports Hall of Fame
15	Foundation.
16	(i) The One member nominated by the Louisiana Civil Rights Museum
17	Advisory Board.
18	(j) Two members nominated by the Friends of Capitol Park Museum.
19	(2) Eleven Seven members shall be appointed from the state at large in such
20	manner as to provide that membership on the board will reflect the ethnic and
21	cultural diversity of the population of the state and encourage statewide
22	representation on the board.
23	* * *
24	E.(1) Each member appointed pursuant to Subsection D of this Section shall
25	serve a term concurrent with that of the lieutenant governor making the appointment.
26	Each member shall serve until his successor is appointed and takes office. Each
27	appointment by the lieutenant governor shall be submitted to the Senate for
28	confirmation.
29	(2)(a) For members appointed pursuant to Subsection D of this Section,
30	the term of office shall be four years after initial terms as provided in

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1	Subparagraph (b) of this Paragraph. A member shall serve no more than two
2	consecutive terms.
3	(b) Five members shall serve an initial term of one year; five members
4	shall serve an initial term of two years; five members shall serve an initial term
5	of three years; five members shall serve an initial term of four years, as
6	determined by lot at the first meeting of the board.
7	F. * * *
8	(3) When a vacancy occurs among the at-large members appointed pursuant
9	to the provisions of Paragraph (D)(2) of this Section, then the lieutenant governor
10	shall appoint a person to fill the vacancy within thirty days of the vacancy. The
11	member appointed to fill a vacancy shall serve the remainder of the unexpired term.
12	* * *
13	§342. Domicile; powers and duties of the office of the state museum and the board;
14	buildings and properties administered
15	A. * * *
16	(5) The board shall assist the secretary and assistant secretary in
17	establishing fiscal policies, including but not limited to operational budgets and
18	financial controls over existing and new projects.
19	(6) The museum shall be open to the public. The assistant secretary of the
20	office of the state museum may establish in accordance with the Administrative
21	Procedure Act admission and tour fees and user or rental fees for any or all museum
22	buildings and exhibits to be charged by the museum. Such user or rental fees shall
23	reflect the actual cost of maintenance of the space rented and the market rates for
24	comparable space in the locality of the space rented.
25	(6)(7) The office of the state museum, through the assistant secretary and in
26	cooperation with nonprofit corporations established to support the Louisiana State
27	Museum, may seek private funding to support the museum's programs.
28	(7)(8) The office of the state museum, through the assistant secretary, shall
29	have authority to contract with consulting experts in the fields of museum
30	administration and conservation of paintings, books and papers, and other decorative

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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.

(8)(9) Notwithstanding any provisions of law to the contrary and in particular the provisions of R.S. 25:349(B)(5) and R.S. 41:1212, the office of the state museum, through the assistant secretary, may enter into contracts and agreements with any public agency or nonprofit corporation which has been established for the primary purpose of supporting the programs and activities of the Louisiana State Museum, including the Friends of the Cabildo, Friends of the Museums of Local Interest, Friends of the Louisiana Sports Hall of Fame, the Wedell-Williams Memorial Foundation, and the Louisiana Museum Foundation, for the establishment of offices, stores, or exhibits on the property and in the buildings of the museum. The office of the state museum, through the assistant secretary, may also enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and may enter into contracts and agreements for the joint financing, supervision, and conduct of cooperative enterprises and undertakings. Any public agency may enter into contracts and agreements with the office of the state museum for the purposes provided in this Paragraph.

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

(2) The board shall advise the secretary of the Department of Culture, Recreation and Tourism and the assistant secretary of the state museum **shall consult with the board** with respect to policies for the state museum. The board shall continue to exercise its powers, duties, and functions with respect to accessions, deaccessions, loans, and conservation of museum properties and collections in accordance with professional museum practices as established by the American **Association Alliance** of Museums, except as otherwise provided by law; and the members thereof shall continue to serve as trustees for the William Irby Trust.

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§343. Museum director; appointment; powers and duties

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A. The lieutenant governor shall appoint a professional director of the Louisiana State Museum who shall have at least ten years of experience in institutional administration and curatorship in a field related to the purposes and activities of the museum. The director shall serve as the assistant secretary of the office of the state museum. The director shall serve at the pleasure of the lieutenant governor and receive such salary as fixed by the lieutenant governor. The museum director shall serve as executive and administrative officer of the board and shall discharge all operational, maintenance, administrative, and executive functions of the board, subject to the control, jurisdiction, and supervision of the secretary of the department. The museum director shall be appointed by the lieutenant governor from a list of three candidates nominated by a search committee appointed by the board. The lieutenant governor shall make the appointment no later than sixty days after receiving the list of candidates from the search committee. The board shall establish criteria for the position of director that include but are not limited to possession of a master's degree in Museum Science, or a related field, and shall provide clear evidence of successful performance as a skilled professional.

B. The director shall serve as the assistant secretary of the office of the state museum.

C. The salary of the director shall be commensurate with the other assistant secretary positions. The salary may be additionally supplemented beyond the normal amount by the board or Louisiana museum foundations as provided for in the Code of Governmental Ethics.

Section 2. R.S. 42:1111(A)(1) is hereby amended and reenacted to read as follows: §1111. Payment from nonpublic sources

A.(1)(a) Payments for services to the governmental entity. No public servant shall receive anything of economic value, other than compensation and benefits from the governmental entity to which he is duly entitled, for the performance of the duties and responsibilities of his office or position; however,

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(b) Any supplementary compensation or benefits provided to an employee

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2 of a public higher education institution, board, or system from funds or property 3 accruing to the benefit of the institution, board, or system as approved by the 4 appropriate policy or management board, through an alumni organization recognized 5 by the management board of a college or university within the state or through a foundation organized by the alumni or other supportive individuals of a college or 6 7 university within the state the charter of which specifically provides that the purpose of the foundation is to aid said college or university in a philanthropic manner shall 8 9 be deemed for purposes of this Subsection as compensation and benefits from the 10 government to which he is duly entitled. 11 (c) Any supplementary compensation or benefits provided to the director 12 of the Louisiana State Museum as approved by the board of directors of the 13 Louisiana State Museum through the board or a foundation organized to 14 support any particular museum under the jurisdiction of the Louisiana State 15 Museum whose charter specifically provides that the purpose of the foundation 16 is to aid the museum in a philanthropic manner shall be deemed for purposes 17 of this Subsection as compensation and benefits from the government to which 18 he is duly entitled. 19 20 Section 3. This Act shall become effective on January 12, 2016. PRESIDENT OF THE SENATE SPEAKER OF THE HOUSE OF REPRESENTATIVES GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____