

2023 Regular Session

HOUSE BILL NO. 410

BY REPRESENTATIVE GLOVER

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

MUSEUMS: Establishes the Shreveport Water Works Museum as a facility within the Department of Culture, Recreation and Tourism

1 AN ACT

2 To enact Chapter 5-M of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 25:380.101 through 380.104, relative to the Shreveport Water Works
4 Museum; to establish the museum within the Department of Culture, Recreation and
5 Tourism; to provide relative to the location and purpose of the museum; to provide
6 relative to operating funds and appropriations by the legislature; to provide relative
7 to donations, loans, and the disposition of property; to provide relative to the use of
8 collections and property of the museum; to provide relative to the authority of the
9 Department of Culture, Recreation and Tourism with respect to the museum; and to
10 provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Chapter 5-M of Title 25 of the Louisiana Revised Statutes of 1950, to be
13 comprised of R.S. 25:380.101 through 380.104, is hereby enacted to read as follows:

14 CHAPTER 5-M. SHREVEPORT WATER WORKS MUSEUM

15 §380.101. Establishment and location; purpose and use

16 A. The Shreveport Water Works Museum, referred to in this Chapter as the
17 "museum", is established as a facility in the city of Shreveport, parish of Caddo,
18 under the overall jurisdiction of the Department of Culture, Recreation and Tourism,
19 referred to in this Chapter as the "department", as more specifically provided in this
20 Chapter.

1 B. The museum shall be a historical, cultural, scientific, and technological
2 institution whose primary purpose shall be to research, collect, preserve, and present,
3 as an educational resource, the pictures and photographs, documents, artifacts,
4 objects of art, and the like that reflect the social, cultural, and economic history of
5 the pumping station and water supply related artifacts of Louisiana.

6 §380.102. Operating funds; appropriations by the legislature

7 A. The department shall include in its annual budget request, required by
8 R.S. 39:32, a request for funds necessary for support of the museum. The governor
9 shall include in the executive budget submitted to the legislature sufficient funding
10 for the support of the operations of the museum.

11 B. Funds appropriated by the legislature to the department for the operation
12 of the museum shall be used solely for that purpose. No administrative costs of any
13 kind shall be charged by the department for any services associated with placement
14 of the museum within the jurisdiction of the department.

15 C.(1) If sufficient funds necessary for the operation of the museum are not
16 appropriated by the legislature, and funds from other local, public, or private sources
17 are not available for this purpose, the department is authorized to temporarily close
18 the museum to the public until such time as sufficient funds necessary for the
19 operation of the museum are appropriated by the legislature. The department shall
20 maintain the museum during any period of temporary closure.

21 (2) The department may accept and use, in accordance with law, gifts,
22 grants, bequests, donations endowments, or funds from any public or private source
23 to support the operations of the museum.

24 §380.103. Donations and loans; disposition of property

25 A. The department may solicit and accept funds, governmental grants,
26 donations, and contributions of lands, buildings, monies, artifacts, relics, video
27 recordings, motion picture films, books and papers, pictures and photographs,
28 documents, works of art, or other property on behalf of and as additions to the
29 museum either in the form of loans or in the form of donations inter vivos or mortis

1 causa, and the department may acquire them by purchase, lease, or otherwise, subject
2 to the terms, conditions, or limitations contained in the instrument by which such
3 property is acquired. However, the museum, through the department, may enter into
4 any and all contracts with any person, lender, or donor that it may deem fit, proper,
5 and necessary to accept and receive such lands, buildings, monies, artifacts, relics,
6 video recordings, motion picture films, books and papers, pictures and photographs,
7 documents, works of art, or other property on behalf of and as additions to the
8 museum. The museum may serve as the beneficiary of any public trust heretofore
9 or hereafter created for such purpose pursuant to the provisions of R.S. 9:2341 et seq.

10 B. The Board of Directors of the Louisiana State Museum, referred to in this
11 Chapter as the "board", is granted the authority of deaccession with respect to any
12 collection of the museum and, for such purpose, is exempted from laws relative to
13 the sale or disposal of surplus property. The board shall establish policies and
14 procedures necessary to carry out this authority in an orderly manner.

15 C.(1) Any property which has been deposited with the museum, by loan or
16 otherwise, and which has been held by the museum for more than ten years, and to
17 which no person has made claim shall be deemed to be abandoned and,
18 notwithstanding the provisions of Chapter 1 of Title XII of Book III of the Louisiana
19 Civil Code, shall become the property of the museum if Paragraph (2) of this
20 Subsection has been complied with.

21 (2)(a) At least once each week for two consecutive weeks, the board shall
22 cause to be published in at least one newspaper of general circulation in the parish
23 of Caddo a notice and listing of the property.

24 (b) The notice shall contain:

25 (i) The name and last known address, if any, of the last known owner or
26 depositor of the property.

27 (ii) A description of the property.

28 (iii) A statement that if proof of claim is not presented by the claimant to the
29 board and if the claimant's right to receive such property is not established to the

1 satisfaction of the board within sixty-five days from the date of the second published
2 notice, the property will be deemed to be abandoned and shall become the property
3 of the museum.

4 (3) If no valid claim has been made to the property within sixty-five days
5 from the date of the second published notice, title to the property shall vest in the
6 museum free from all claims.

7 §380.104. Use of collections

8 Any collection of the museum may, subject to approval of the board, be lent
9 in part. The board shall ensure proper safeguards for its maintenance and return and
10 shall ensure that proper records are kept. The collections shall be available for use
11 in educational projects, subject to the approval of the board.

12 Section 2.(A) The provisions of Section 1 of this Act shall become effective when
13 an Act of the Louisiana Legislature containing a specific appropriation of monies for the
14 implementation of the provisions of this Act becomes effective.

15 (B) The provisions of this Section shall become effective upon signature by the
16 governor or, if not signed by the governor, upon expiration of the time for bills to become
17 law without signature by the governor, as provided by Article III, Section 18 of the
18 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
19 legislature, the provisions of this Section shall become effective on the day following such
20 approval.

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 410 Reengrossed

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Glover

Abstract: Establishes the Shreveport Water Works Museum within the Dept. of Culture, Recreation and Tourism.

Proposed law establishes the Shreveport Water Works Museum as a facility in the city of Shreveport under the overall jurisdiction of the Dept. of Culture, Recreation and Tourism (department).

Proposed law requires that the department's budget request and the governor's executive budget include funds sufficient to support the museum. Requires that funds appropriated for

operation of the museum be used for such purpose. Prohibits charging the department any administrative costs associated with placing the museum within the department.

Proposed law authorizes the department to solicit and accept funds and other property for the museum either as loans or donations and provides with respect thereto. Authorizes the museum to serve as the beneficiary of any public trust created for such purpose. Grants the Board of Directors of the La. State Museum (board) authority of deaccession with respect to any collection of the museum and in case of such deaccessions exempts the board from present law relative to sale or disposal of surplus property. Requires the board to establish policies and procedures to carry out such authority.

Proposed law provides relative to unclaimed property loaned to or otherwise left with the museum. Provides that such property shall become property of the museum if no claim has been made after 10 years and after notice according to specified procedures. Provides that museum collections shall be available for use in educational projects subject to approval by the board.

Effective upon appropriation of monies by the legislature for the implementation of proposed law.

(Adds R.S. 25:380.101-380.104)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Make effectiveness of proposed law subject to appropriation of monies by the legislature for the implementation of proposed law.