

NOTICE OF INTENT

Department of State Museums Program

Louisiana Department of State's Museums (LAC 25:VI)

Pursuant to the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and under the authority of R.S. 36:742, R.S. 36:744, and R.S. 49:222(A), the Department of State is proposing to adopt rules governing its museums regarding the operation and fees for the department's museums. The proposed effective date of this Rule would be the date the final Rule is promulgated in the *Louisiana Register*.

Title 25 CULTURAL RESOURCES

Part VI. Department of State's Museums

Chapter 1. General Information

§101. Definitions

A. As used in this Part, unless the content clearly provides otherwise, the following terms shall be defined as follows:

Department—the Department of State.

Museum—a single building that is open to the public and is operated by the Department of State.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742 and R.S. 36:744.

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

§103. Hours of Operation

A. Each museum will be open to the public in accordance with a published schedule established by the department in §103.B and posted on the department's website. All closures of a museum will be posted for specific dates.

B. Detailed below are the hours of operation for all museums under the Department of State:

Building	Location	Hours of Operation
Eddie G. Robinson Museum	Grambling	Tuesday through Friday (10 a.m. to 4 p.m.)
Germantown Colony Museum	Minden	Thursday through Saturday (10 a.m. to 4 p.m.)
Louisiana Military Hall of Fame & Museum	Abbeville	Thursday through Saturday (10 a.m. to 4 p.m.)
Louisiana State Cotton Museum	Lake Providence	Tuesday through Saturday (10 a.m. to 4 p.m.)

Building	Location	Hours of Operation
Louisiana Delta Music Museum	Ferriday	Wednesday through Friday (9 a.m. to 4 p.m.)
Louisiana State Exhibit Museum	Shreveport	Monday through Friday (9 a.m. to 4 p.m.)
Louisiana State Oil & Gas Museum	Oil City	Tuesday through Friday (10 a.m. to 4 p.m.)
Mansfield Female College Museum	Mansfield	Wednesday through Friday (10 a.m. to 4 p.m.)
Louisiana Old State Capitol	Baton Rouge	Tuesday through Friday (10 a.m. to 4 p.m.) and Saturday (9 a.m. to 3 p.m.) *
Tioga Heritage Park & Museum	Pineville	Currently Closed

* The Old State Capitol is closed on Saturdays if there is a downtown parade in Baton Rouge or if there is an early wedding or event scheduled. In addition, the Louisiana Old State Capitol is closed for cyclical maintenance typically from mid-December to mid-January depending on the construction projects at that time.

C. The department is authorized to close museums or sections of museums as necessary. All closures will be posted on the department's website.

D. The department is authorized to open museums on official state holidays, if affected employees are compensated in accordance with applicable laws and the Department of Civil Service's rules.

E. Due to staffing and other operational concerns, the department may turn away a group that has not reserved its visit in advance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742 and R.S. 36:744.

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

§105. Building Use Policy for Events

A All department museums are historical, cultural, and educational institutions whose primary purpose shall be to collect, preserve, and present, as an educational resource, objects of art, documents, artifacts, and the like that reflect the history, art, and culture of Louisiana.

B. Functions and events may be permitted only insofar as such use does not compromise or put at risk the mission, accreditation, or integrity of the museum and its collections and such use comports with applicable law and the regulations set forth herein.

C. Certain spaces within the museum(s) may be designated as being unavailable for functions and events.

D. The department is authorized to determine whether the proposed use, user, and museum or space within a museum meet the eligibility criteria for the department's building rental policy for events and whether the request complies with the procedures and requirements set forth in this chapter and applicable laws.

E. Procedure

1. Eligible users include:

- a. nonprofit organizations;
- b. governmental agencies; or

c. groups, persons, or companies whose proposed use is, in the opinion of the secretary of state or his designee, not in conflict with the purposes of the department.

2. Eligible Use. Requests will be considered from eligible organizations, agencies, groups, persons, and companies only for use that does not compromise or put at risk the mission, accreditation, or integrity of the museum and its collections. Such use generally falls into one of four types of events or functions:

- a. receptions and sit-down meals;
- b. business meetings and lectures;
- c. concerts or theatrical productions; or
- d. weddings.

3. Ineligible Use. No political campaign events may be held at any of the department's museums.

4. Capacity. Requests shall state the reasonably anticipated attendance at the event, which attendance shall not exceed the maximum building capacity of the museum as established by the fire marshal.

5. All requests shall be submitted in writing in accordance with the specific museum's guidelines to allow for proper planning, coordination, and completion of all required paperwork, including but not limited, to the required written event agreement.

6. The department has the discretion to deny an application if:

- a. the applicant does not meet the eligibility criteria;
- b. the application is not complete;
- c. the application is not submitted timely;
- d. the proposed use exceeds the capacity of the museum or space
- e. the proposed use may put the museum, its collections, or
- f. the applicant failed to remit the deposit or other amounts when due
- g. the applicant failed to present certificates of insurance if required;
- h. the applicant failed to comply with the terms of the event

within the museum;

accreditation at risk;

and payable;

or

agreement.

F. Terms of Use —Event Agreement

1. The terms of use for the event will be established fully in a written agreement between the department and the applicant or a legally authorized representative of the applicant. The event agreement shall be completed and executed by both parties in accordance with the specific museum's guidelines.

2. Each museum has an event agreement specific to its space. The applicant shall comply with all requirements which may include no open flames, no smoking, no red wine, etc. The applicant shall consult with each museum director for the specific requirements.

3. The applicant shall designate an authorized representative to be present for the entire duration of the use. The representative shall have decision-making authority to act on behalf of the applicant. The representative will be responsible for all coordination with the department.

4. Specific information regarding the department's museums is specified in Chapter 3.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742 and R.S. 36:744.

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

§107. Building Use Agreement and Charges for Events

A. Event Rental Fees and Costs. The written event agreement will designate the authorized museum space and time for the approved use and shall specify applicable costs and fees. The event fees include:

1. a base service charge, which is established based on the department's cost of security, custodial, utilities, and administrative support required to service previous functions of a similar size and type; and

2. additional charges imposed if, after the completion of the event, there are any repairs necessary to the museum building, grounds, collections, property, or exhibitions that are the result of improper use. This payment will be due within one business day upon written demand of the department.

B. A deposit shall be paid to the museum to reserve a date. The amount of the deposit and payment date may vary by museum.

C. If an event is held at a museum that has a foundation, one-half of the fees will be made payable to the Department of State and the other one-half will be made payable to the museum's designated non-profit group. That donation will be placed in the foundation whose primary purpose is to support the mission of the specific museum and will be used for acquisitions, conservation, education, endowment, exhibits, publications, and support for building maintenance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742, R.S. 36:744, and R.S. 49:222(A).

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

Chapter 3. Museums Fees

§301. Admission Fees

A. General admission to all Department of State museums are free.

B. Special Promotions

1. The secretary of state or his designee may enter into an agreement or promotion that discounts or waives admission fees other than general admission fees on a defined basis for promoting visitation, public support, and mission-related activities of the department. A special promotion must promote the mission of the museum or an affiliated entity and must not conflict with any applicable law or regulation

2. Special promotions will be tracked and evaluated for achievement of the intended purpose. Special promotions will be reviewed and reauthorized annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742, R.S. 36:744, and R.S. 49:222(A).

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

§303. Eddie G. Robinson Museum Fees

A. Daytime Events. Daytime events shall be held during regular business hours. The building shall remain open to the public during the scheduled event time although special arrangements may be made to restrict public access to event areas.

B. Evening Events. Private events shall be no more than four hours in duration and must be scheduled after regular business hours. No event shall run beyond midnight.

C. The fees for daytime and evening events include tables, chairs, janitorial service, and set-up. The breakdown of the event fees is listed below.

1. For a daytime or evening event without food and beverage, the cost will be \$225. The following is a breakdown of the fees:

- a. \$200 event fee for four hours or less; and
- b. \$25 set-up fee.

2. For a daytime or evening event with food and beverage, the cost will be \$325. The following is a breakdown of the fees:

- a. \$300 event fee for four hours or less; and
- b. \$25 set-up fee.

D. All rentals require a \$50 non-refundable deposit to schedule an event.

E. The president of Grambling State University will be allowed six complimentary events per year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 25:1246, R.S. 36:742, R.S. 36:744, and R.S. 49:222(A).

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

§305. Louisiana State Cotton Museum Fees

A. Daytime Events. Daytime events shall be held during regular business hours. The building shall remain open to the public during the scheduled event time although special arrangements may be made to restrict public access to event areas. All of the following daytime event fees include tables, chairs, janitorial service, and set-up and breakdown of the event:

1. for a four-hour event or less without food and beverage, the cost will be \$50 per hour; and

2. for an eight-hour event or less with food and beverage, the cost will be \$100 per hour.

B. Evening Events. Private events shall be no more than four hours in duration and shall be scheduled after regular business hours. No event shall run beyond midnight. The cost will be \$300 per hour.

C. All rentals require a 10 percent non-refundable deposit to reserve the date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742, R.S. 36:744, and R.S. 49:222(A).

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

§307. Louisiana Delta Music Museum Fees

A. Daytime Events. Daytime events shall be held during regular business hours. The building shall remain open to the public during the scheduled event time although special arrangements may be made to restrict public access to event areas. All of the following daytime event fees include tables, chairs, janitorial service, and set-up and breakdown of the event. The cost will be \$200 per hour.

B. Evening and Weekend Events. Private events shall be held for no more than four hours in duration. The cost per hour is \$420. Evening events shall be scheduled after regular business hours. No event shall run beyond midnight.

C. A refundable damage deposit of \$100 is required for all rentals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742, R.S. 36:744, and R.S. 49:222(A).

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

§309. Louisiana State Exhibit Museum Fees

A. Evening Events. Private events shall be held for no more than four hours in duration (unless approved by the Director) and shall be scheduled after regular operating hours. The cost shall be \$250 per hour. No event shall run beyond midnight.

B. All rentals shall require a 10 percent deposit to reserve the date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742, R.S. 36:744, and R.S. 49:222(A).

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

§311. Louisiana Oil and Gas Museum Fees

A. Evening Events. Private events shall be held for no more than four hours in duration and shall be scheduled after regular business hours. The cost shall be \$500 per hour. No event shall run beyond midnight.

B. A refundable damage deposit of \$250 is required for all rentals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742, R.S. 36:744, and R.S. 49:222(A).

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

§313. Old State Capitol Fees

A. Daytime Events. Daytime events shall be held during regular business hours. The building shall remain open to the public during the scheduled event time although special arrangements may be made to restrict public access to event areas. All of the following daytime event fees include tables, chairs, janitorial service, and set-up and breakdown of the event:

1. \$1,500 allows up to 200 guests for a luncheon or meeting with access to the senate chamber and rotunda;
2. \$1,000 allows up to 200 guests for a seminar, conference, or general meeting to be held in the house chamber (no food or beverage is allowed in this space);
3. \$300 allows up to 18 guests, seated, for a meeting or business lunch in the 1882 Adjutant General's Office (the Old State Capitol's spacious boardroom); and

4. a nonrefundable deposit of 20 percent of the total rental fee which is required to book the date.

B. Evening Events. Private events shall be no more than three hours in duration and shall be scheduled after regular business hours. No event shall run beyond 11:00 p.m. All of the following evening event fees include tables, chairs, janitorial service, and set-up and breakdown of the event:

1. \$6,000 allows up to 350 guests for a gala, fundraising event, cocktail party, wedding reception, or similar event with access to the senate chamber and the first and second floor rotunda areas (these types of events may not be held during regular business hours);

2. \$2,500 allows up to 200 guests for a seated banquet or rehearsal dinner (not a wedding reception or similar event) with access to the senate chamber; and

3. \$1,500 allows up to 200 guests seated in the house chamber for a wedding ceremony, seminar, or conference. (If also reserving the senate chamber for a wedding reception or similar event, the price to reserve the house chamber is reduced to \$500. If reserving the house chamber for a wedding ceremony or program, additional hours are allowed if making the total time of the event four hours in duration.) (i.e. cost for wedding ceremony or program and reception $\$6,000 + \$500 = \$6,500$; program or ceremony only = \$1,500).

4. A damage deposit of \$500 is required for all evening events and is due 30 days prior to the event. This deposit shall be in the form of a personal or business check made payable to the Louisiana Department of State. This check will not be cashed and will be returned to the client once it is determined that no damages occurred and the event ended in a timely manner.

C. Photography sessions are done during regular business hours at a cost of \$200 per photography session. Photography sessions, including bridal photographs, shall be scheduled in advance and are allowed in designated areas on the first and second floors. Photographers and their clients will be required to work around visitors, exhibit items, and items set-up for events. Photographs shall be completed during a two-hour appointment.

D. Grounds

1. Each event held on the grounds of the Old State Capitol will have unique qualities. Fees and policies will be discussed on an individual basis.

2. Private use of the grounds will not be allowed during annual festivals and holidays or community related events. Usage during these times will be restricted to the Old State Capitol sponsored functions.

3. The Old State Capitol does not provide tables, chairs, or trashcans for outdoor events.

4. No fee for photography sessions taken only on the grounds. These sessions shall be scheduled in advance and shall be taken during regular business hours.

E. A nonrefundable deposit in the amount of 20 percent of the total rental fee is required to book the date.

F. Admission may be charged for special exhibits or activities. Admission for the "Ghosts of the Castle" film at the Old State Capitol (OSC) is \$3 per individual or \$2 per person for a group.

AUTHORITY NOTE: Promulgated in accordance with R.S. 25:375(B), R.S. 36:742, R.S. 36:744, and R.S. 49:222(A).

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

Chapter 5. Prior Rules and Regulations

§501. Repeal of Prior Rules and Regulations

A. All prior rules and regulations which may have been adopted for any of the above-mentioned museums are hereby repealed in their entirety.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:742 and R.S. 36:744.

HISTORICAL NOTE: Promulgated by the Department of State, Museums Program, LR 44:

Family Impact Statement

The proposed Rule regarding Department of State's museums should not have any known or foreseeable impact on any family as defined by R.S. 49:927 or on family formation, stability and autonomy. Specifically, there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children; and
6. the ability of the family or a local government to perform the function as contained in the proposed amendments to the Rule.

Poverty Impact Statement

The proposed Rule regarding the Department of State's museums should not have any known or foreseeable impact on poverty as defined by R.S. 49:973. Specifically, there should be no known or foreseeable effect on:

1. the household income, assets and financial security;
2. early childhood development and preschool through postsecondary education development;
3. employment and workforce development;
4. taxes and tax credits; and
5. child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Statement

The proposed Rule on small business has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small business as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the

drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small business.

Provider Impact Statement

The proposed Rule does not have any known or unforeseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Jodie Henderson, Attorney, Legal Division, Department of State, P.O. Box 94125, Baton Rouge, LA 70804-9125. She will be responsible for responding to inquiries regarding the proposed Rule. The deadline for the Department of State to receive written comments is 4:30 p.m. on Wednesday, October 31, 2018 after the public hearing.

Public Hearing

A public hearing on the proposed Rule is scheduled for Tuesday, October 30, 2018 at 1:00 p.m. in the Executive Conference Room at the Department of State Office, 8585 Archives Avenue, Baton Rouge, LA. At that time, all interested persons will be afforded the opportunity to submit data, views, or arguments, either orally or in writing.

R. Kyle Ardoin
Secretary of State