

HOUSE BILL No. 2532

By Committee on Appropriations

2-20

AN ACT concerning the state historical society; amending K.S.A. 75-2701 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 75-2701 is hereby amended to read as follows: 75-2701. (a) The state historical society, heretofore organized under the incorporation laws of the state, shall be the trustee of the state. As such, the society shall faithfully expend and apply all money received from the state to the uses and purposes directed by law, shall hold all the ~~society's~~ present and future collections of property for the state and shall not sell, mortgage, transfer or dispose of in any manner or remove from the ~~se-~~ ~~society's~~ building or buildings *occupied for historical interests of the state*, except for temporary purposes, any article of property without authority of law. This shall not prevent the sale, exchange, donation or other disposition by the society of ~~its~~ publications, duplicate property in ~~its~~ collection holdings, property outside ~~its~~ *the* scope of collection, hazardous property or property with insufficient research, educational or exhibit value, but:

(1) No such property shall be disposed of except by sale or exchange until the society adopts rules and regulations establishing procedures for disposition;

(2) no rules and regulations establishing procedures for disposition of such property shall be adopted until the society first advises and consults with the joint committee on administrative rules and regulations regarding the proposed rules and regulations;

(3) such rules and regulations shall provide, with respect to property which was donated by an individual, procedures reasonably calculated to notify and offer such property to such individual or such individual's immediate family prior to disposal, if the property is disposed of within 20 years after the donation; and

(4) such rules and regulations shall provide, with respect to property with research, educational or exhibit value, procedures for notifying local institutions that such property is being disposed of.

(b) There shall continue to be a board of directors of the *Kansas* state historical society, *inc.*, and an *executive committee of such board of di-*

1 *rectors, each to consist of as many members as the society determines.*

2 (c) The society may acquire property, real or personal, by gift, be-
3 quest or otherwise, in any amount, and upon such conditions as the so-
4 ciety's executive committee deems best for the interests of the society.
5 Any such property so acquired and any state-owned historic site, structure
6 or other property which has been placed by law under the jurisdiction
7 and supervision of the society shall be administered by the society in the
8 public interest, and the society shall provide for the preservation of such
9 property and shall adopt rules and regulations as necessary for the proper
10 use and enjoyment of such property. For this purpose the society may
11 fix, charge and collect fees for admittance to any state-owned historic site,
12 structure or property which has been placed under the jurisdiction and
13 supervision of the society and is further authorized to provide exemptions
14 from such fees or to fix reduced fees for one or more categories of
15 persons.

16 (d) The society shall remit all moneys received by the society under
17 the provisions of subsection (c) to the state treasurer at least monthly.
18 Upon receipt of any such remittance the state treasurer shall deposit the
19 entire amount thereof in the state treasury and the same shall be credited
20 to the historic properties fee fund which is hereby created. All expendi-
21 tures from such fund shall be made in accordance with appropriation acts
22 upon warrants of the director of accounts and reports issued pursuant to
23 vouchers approved by the secretary of the state historical society or a
24 person designated by the secretary.

25 (e) *The state historical society is a state agency within the executive*
26 *branch of state government for all purposes under the statutes and laws*
27 *of Kansas, except when acting as the Kansas state historical society, inc.,*
28 *a not-for-profit corporation organized under the incorporation laws of*
29 *Kansas. All real and personal property under the control and supervision*
30 *of the state historical society that is not property owned and maintained*
31 *by the Kansas state historical society, inc., as a not-for-profit corporation*
32 *organized under the incorporation laws of Kansas, in order to accomplish*
33 *the purposes of the corporation as stated in the articles of incorporation*
34 *and bylaws, including but not limited to investments, office equipment,*
35 *property and revenues of the museum stores and income from member-*
36 *ship fees and assessments, belongs to the state of Kansas.*

37 (f) (1) *The governor shall appoint the executive director of the state*
38 *historical society, subject to confirmation by the senate as provided in*
39 *K.S.A. 75-4315b and amendments thereto. The governor shall appoint the*
40 *executive director of the state historical society from a list of three qual-*
41 *ified persons nominated by the executive committee of the Kansas state*
42 *historical society, inc. The governor may reject all nominees submitted on*
43 *any such list and may request an additional list of three other qualified*

1 *persons to consider for appointment to the office of executive director of*
2 *the state historical society. The executive director of the state historical*
3 *society shall be in the unclassified service under the Kansas civil service*
4 *act and shall be subject to evaluation in accordance with this section. The*
5 *executive director of the state historical society shall receive an annual*
6 *salary fixed by the governor, subject to approval by the executive com-*
7 *mittee of the Kansas state historical society, inc.*

8 (2) *The executive director of the state historical society shall be qual-*
9 *ified by education or training and experience in the field of history, his-*
10 *toric preservation, education, museum administration or a related field*
11 *and shall have demonstrated executive and administrative ability to dis-*
12 *charge the duties of the office of executive director of the state historical*
13 *society. A person serving as executive director of the state historical so-*
14 *ciety may be reappointed to the office by the governor, subject to confir-*
15 *mation by the senate as provided in K.S.A. 75-4315b and amendments*
16 *thereto, except that no person who has retired from state service under*
17 *any retirement system or plan administered by the board of trustees of*
18 *the Kansas public employees retirement system shall be qualified to serve*
19 *as executive director of the state historical society.*

20 (3) *An evaluation of the executive director of the state historical so-*
21 *ciety shall be conducted annually by the executive committee of the Kansas*
22 *state historical society, inc., and the results of such evaluation shall be*
23 *submitted to the governor for review. In addition to other procedures*
24 *under law, the governor or the executive committee of the Kansas state*
25 *historical society, inc., may initiate or request a special evaluation to de-*
26 *termine if cause exists for the removal of the person holding the office of*
27 *executive director of the state historical society.*

28 (4) *Whenever the office of the executive director of the state historical*
29 *society becomes vacant, the executive committee of the Kansas state his-*
30 *torical society, inc., shall be notified of such vacancy and shall prepare*
31 *and submit a list of three qualified nominees to the governor for the ap-*
32 *pointment of a successor.*

33 (g) *On and after the effective date of this act, whenever the secretary*
34 *of the state historical society or the executive director of the state historical*
35 *society, or words of like effect, is referred to or designated by a statute,*
36 *contract or other document, such reference or designation shall be deemed*
37 *to apply to the executive director of the state historical society.*

38 Sec. 2. K.S.A. 75-2701 is hereby repealed.

39 Sec. 3. This act shall take effect and be in force from and after its
40 publication in the statute book.