

CHAPTER 329 (SB 216)

AN ACT relating to the natural history of Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 146 IS CREATED TO READ AS FOLLOWS:

The General Assembly finds that the natural heritage of the Commonwealth is unique and plays a pivotal role in the economy of the state. As the state competes in an expanding global marketplace, this unique heritage must be recognized for its economic importance. In addition, the General Assembly finds that Kentuckians have a deep, personal commitment to a responsible stewardship of the land and water in order that future Kentuckians may benefit from the state's natural heritage. Upon these findings, the General Assembly declares that the purposes of Sections 1 to 9 of this Act are to:

- (1) Establish a natural history museum to showcase the natural heritage of the state;*
- (2) Provide a focal point for gathering resources to educate Kentuckians about the value and uniqueness of the state's natural heritage and to illustrate the historical human interactions with nature;*
- (3) Establish a database of information on the state's natural heritage;*
- (4) Create a repository of historical and contemporary specimens of the state's flora, fauna, fossils, minerals, archeological remains, and other natural features;*
- (5) Prevent the loss of specimens of Kentucky's natural heritage to other states; and*
- (6) Complement without duplicating the inventory duties of existing state agencies.*

SECTION 2. A NEW SECTION OF KRS CHAPTER 146 IS CREATED TO READ AS FOLLOWS:

- (1) To achieve the purposes of Sections 1 to 9 of this Act, the Kentucky Natural History Museum is created. The museum shall serve Kentuckians as a focal point of educational resources to:*
 - (a) Support teaching the natural sciences and anthropology in Kentucky and to educate the public about the unique and diverse natural history of the Commonwealth;*
 - (b) Encourage the conservation of the state's natural resources;*
 - (c) Create a stable repository for scientifically valuable and irreplaceable biological, geological, and archeological specimens; and*
 - (d) Encourage the repatriation and preservation of Kentucky specimens that have been or may be sent outside the state because those specimens cannot be financially supported by their owners.*
- (2) The museum shall be developed and administered by a board of directors comprised of the following:*
 - (a) The director of the Kentucky Geological Survey;*
 - (b) The director of the Kentucky State Nature Preserves Commission;*
 - (c) The executive director of the Kentucky Heritage Council;*

- (d) The director of the Kentucky Historical Society;*
 - (e) The commissioner of the Kentucky Department of Fish and Wildlife Resources; and*
 - (f) Two (2) members representing the Kentucky Academy of Science, one (1) each from the disciplines of biology and anthropology, who shall be appointed by the Governor from a list of four (4) nominees, two (2) from each discipline, submitted by the Kentucky Academy of Science.*
- (3) The director of the Kentucky Natural History Museum shall serve as an ex officio member of the board of directors, be counted for purposes of establishing a quorum for conducting business, and be entitled to participate in deliberations of the board, but shall not be entitled to vote when official actions are taken by the board.*
 - (4) The first chair of the Kentucky Natural History Museum Board of Directors shall be the director of the Kentucky Historical Society, who shall call the first meeting of the board. At the first meeting, the board shall elect a chair. Each chair elected by the board shall serve a single term of three (3) years.*
 - (5) The Kentucky Academy of Science's appointees shall serve three (3) year terms, and they may be reappointed for a second term.*
 - (6) Nominees for appointment to the board shall have resided in Kentucky for at least one (1) year immediately prior to their consideration for appointment.*
 - (7) The board may request the Governor to replace an appointed member who fails to attend three (3) consecutive board meetings.*
 - (8) The appointed members of the board shall serve without pay but shall be paid for expenses directly related to attending board meetings and to performing board authorized activities.*
 - (9) The board shall meet at least four (4) times a year.*

SECTION 3. A NEW SECTION OF KRS CHAPTER 146 IS CREATED TO READ AS FOLLOWS:

- (1) The board of directors of the Kentucky Natural History Museum shall establish the Kentucky Natural History Museum. The board shall implement Sections 1 to 9 of this Act to the extent practical prior to operation of the museum. Working to achieve the public purposes that are the goals of implementation of Sections 1 to 9 of this Act shall not be dependent on the existence and operation of the museum in a physical place.*
- (2) The board shall be administratively linked to the Education, Arts, and Humanities Cabinet.*
- (3) To accomplish the purposes of Sections 1 to 9 of this Act, the board is authorized to:*
 - (a) Acquire and hold property by deed, gift, devise, bequest, lease, exchange, purchase, or transfer;*
 - (b) Plan for, develop, construct, and maintain buildings;*
 - (c) Enter into agreements with state, federal, or local agencies;*
 - (d) Employ and contract with individuals, corporations, or other business entities to accomplish the purposes of Sections 1 to 9 of this Act;*
 - (e) Accept and administer appropriations, gifts, grants, devises, and bequests of money, securities, or other items of value; and*

- (f) *Carry out any other functions necessary to accomplish the purposes of Sections 1 to 9 of this Act.*
- (4) *To accomplish the purposes of Sections 1 to 9 of this Act, the board may provide and administer grants to public and private entities.*

SECTION 4. A NEW SECTION OF KRS CHAPTER 146 IS CREATED TO READ AS FOLLOWS:

The board shall hire a director to administer the Kentucky Natural History Museum and to assist the board in implementing Sections 1 to 9 of this Act. The board shall select as director a candidate who has a strong background in the natural sciences, demonstrated management skills, and knowledge of Kentucky's natural history. The director shall have at a minimum a master's degree in the natural sciences or anthropology and five (5) years of experience in the educational, research, or exhibit design work of a natural history museum or five (5) years of experience as a curator of significant archeological, biological, or geological collections. The director shall serve at the pleasure of the board. The board may hire the director prior to the development of the museum.

SECTION 5. A NEW SECTION OF KRS CHAPTER 146 IS CREATED TO READ AS FOLLOWS:

The director of the Kentucky Natural History Museum shall:

- (1) *Implement the policy directives of the museum's board of directors;*
- (2) *Assist the board in developing and implementing programs to solicit financial and other support for the museum and its mission;*
- (3) *Be the principal representative of the museum. However, the board or the museum director may designate a different representative when necessary;*
- (4) *With the board of directors' approval, hire clerical and administrative support staff and obtain office space and equipment;*
- (5) *With the board of directors' approval, hire the associate directors to manage the mission units established in Sections 7, 8, and 9 of this Act; and*
- (6) *By September 1 of each year, report to the Governor, the board, and the Legislative Research Commission on activities, accomplishments, finances, and the next year's goals.*

SECTION 6. A NEW SECTION OF KRS CHAPTER 146 IS CREATED TO READ AS FOLLOWS:

The purposes of Sections 1 to 9 of this Act shall be carried out through the operation of mission units. When the Kentucky Natural History Museum is established, the mission units shall become administrative units of the museum. Each unit shall be managed by an associate director.

SECTION 7. A NEW SECTION OF KRS CHAPTER 146 IS CREATED TO READ AS FOLLOWS:

- (1) *There shall be a curation and science unit within the Kentucky Natural History Museum. The curation and science unit shall:*
 - (a) *Collect specimens of Kentucky's extant and fossilized flora and fauna;*
 - (b) *Identify and inventory significant archeological sites;*

- (c) *Collaborate with scientists in the state agencies, colleges and universities, and other members of the scientific community on sharing relevant data and creating common databases of biological, archeological, geological, and paleontological information;*
 - (d) *Catalog and maintain specimens and artifacts obtained by the museum;*
 - (e) *Assure the quality of specimens kept in storage, available through a loan, or displayed;*
 - (f) *Accept existing scientifically significant and well-preserved biological, archeological, geological, and paleontological collections that may be offered from private or public entities; and*
 - (g) *Conduct research and publish scientific papers related to the purposes of Sections 1 to 9 of this Act.*
- (2) *The associate director of the curation and science unit shall have an earned doctorate in the biological, earth sciences, or anthropology with demonstrated experience in curation of biological or geological collections.*
- (3) *Information that would endanger natural heritage resources by revealing their location shall be exempt from KRS 61.870 to 61.884 unless:*
- (a) *The information is to be used for scientific research or in efforts to protect and preserve the resource;*
 - (b) *The person requesting the information agrees in writing to keep confidential the location of the resource; and*
 - (c) *The director determines that release of the information will not endanger the resource.*

SECTION 8. A NEW SECTION OF KRS CHAPTER 146 IS CREATED TO READ AS FOLLOWS:

- (1) *There shall be an education and events unit within the Kentucky Natural History Museum. The education and events unit shall:*
- (a) *Develop programs for the general public and public schools to showcase the natural resources of the state, to explain the values of and need for maintaining biological diversity, to illustrate how people have historically interacted with and affected biodiversity and the environment, and to serve as a resource to public schools to promote understanding and appreciation of Kentucky's natural heritage;*
 - (b) *Publicize museum activities and goals;*
 - (c) *Develop a program to make useful and accessible to government agencies and citizens the information obtained by the collaborative efforts of the museum;*
 - (d) *Solicit assistance from public and private resources;*
 - (e) *Conduct an annual symposium focusing on broadening the scientific and popular understanding of Kentucky's natural heritage; and*
 - (f) *Perform other functions appropriate to public education, consistent with the mission of the museum.*

- (2) *The associate director of the education and events unit shall have demonstrated experience in science education and an ability to develop educational exhibits and science education programs.*

SECTION 9. A NEW SECTION OF KRS CHAPTER 146 IS CREATED TO READ AS FOLLOWS:

- (1) *There shall be an exhibits and maintenance unit of the Kentucky Natural History Museum. The exhibits and maintenance unit shall:*
- (a) *Plan, design, construct, and maintain exhibits in cooperation with the education and events unit;*
 - (b) *Plan, design, construct, and provide traveling exhibits and other appropriate resources for public education in cooperation with the education and events unit;*
 - (c) *Provide storage of exhibit materials; and*
 - (d) *Acquire exhibit materials from other institutions, collections, and agencies that are relevant to the natural history of Kentucky.*
- (2) *The associate director of the exhibits and maintenance unit shall have demonstrated experience in the planning, design, production, and maintenance of natural history exhibits.*

Approved April 6, 2000