

CHAPTER 29

(HB 21)

AN ACT relating to the Kentucky Military Museum.

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

Section 1. KRS 171.345 is amended to read as follows:

- (1) There is established the Kentucky Military Museum which shall be housed in the Old State Arsenal, and shall serve as repository of objects relating to the Commonwealth's military history.
- (2) The Kentucky Historical Society and its staff shall maintain the museum, receive, store and catalogue all military historical items, and exercise fiduciary responsibility in the preservation and maintenance of the Old State Arsenal and all objects placed *or loaned for display* therein.
- (3) The Department for Military Affairs and the adjutant general shall provide the Old State Arsenal as the museum facility, shall maintain and operate the building and grounds, and shall cooperate in contributing items of military history for display within the museum.
- (4) There is hereby created the Kentucky Military Museum Committee which shall establish policies and procedures for operation of the Military Museum.
- (5) (a) The committee shall be composed of the *following*:
 1. *The* adjutant general, *as an ex officio voting member*;
 2. ~~The~~^{and} director of the Historical Society, *as an ex officio voting member*; ~~both serving ex officio,~~ and
 3. *Twelve (12)*~~six (6)~~ members~~, each selected from lists of three (3) nominees, with three (3) lists submitted from each ex officio member, all~~ appointed by the Governor *under paragraph (b) of this subsection*~~to serve for terms of four (4) years. The Governor shall also appoint a chairman of the committee from its membership~~.
- (b)
 1. *Members of the Kentucky Military Museum Committee shall be appointed under this paragraph. By December 15, 2005, the adjutant general and the director of the Historical Society shall each submit six (6) lists of three (3) nominees each. By December 31, 2005, the Governor shall appoint the twelve (12) new members by selecting one (1) member from each list as provided for in subparagraph 2. of this paragraph. Every list shall include at least one (1) nominee with military service, and the ex officio members and the Governor shall give due consideration to fair representation on the committee from all branches of the military.*
 2. *The Governor shall appoint the first member from a list submitted by the adjutant general, the second from a list submitted by the director of the Historical Society, and the third from a list submitted by the adjutant general. In this manner, the Governor shall alternate until the twelve (12) new members are appointed. The terms of the twelve (12) new members shall begin January 1, 2006.*

3. *The terms of the twelve (12) new members shall be staggered by one (1) year upon each successive appointment, the first member appointed to serve a term of one (1) year with each successive member to serve one (1) more year than the prior appointed member's term. This cycle shall begin again for every fifth member appointed to a vacancy so that no member shall be appointed to a term that exceeds four (4) years in length.*
 4.
 - a. *Except as provided in subdivision b. of this subparagraph, after the initial round of twelve (12) appointments, the terms for all members shall be four (4) years, and the method of appointment shall continue the practice of the Governor alternating between lists of three (3) nominees submitted by the adjutant general and the director of the Historical Society. A list of nominees shall be submitted by December 15, and the Governor shall make the appointment by December 31. The member's term shall begin January 1.*
 - b. *If any person fails to complete his or her term, whether an initial term beginning January 1, 2006, or later, his or her successor shall be appointed to complete the unexpired term. The Governor shall appoint the successor from a list of three (3) nominees submitted by the same official, the adjutant general or the director of the Historical Society, who submitted the list of three (3) nominees from which the predecessor was appointed. The list shall be submitted to the Governor within fifteen (15) days after the vacancy occurs, and the Governor shall make his or her appointment from the list within fifteen (15) days after the submission.*
 5. *No committee member shall serve more than two (2) consecutive terms. A person appointed to finish an unexpired term exceeding two (2) years shall be deemed to have served a full term. A former member may be reappointed following an absence of one (1) term.*
- (c) *A committee member shall be removed for cause only when nine (9) members of the committee vote for removal. Failure to attend at least half of the committee meetings in a calendar year shall be sufficient cause.*
- (d)
 1. *In February of every even-numbered year, the committee shall elect a chair, vice chair, and secretary, each to serve two (2) year terms. In the absence of the chair or in the event of a vacancy in that position, the vice chair shall serve as chair.*
 2. *If a chair, vice chair, or secretary fails to complete his or her two (2) year term, the committee, within thirty (30) days of the vacancy, shall appoint a successor to complete the term.*
 3. *A quorum shall consist of eight (8) or more of the fourteen (14) members. Except as provided in paragraph (c) of this subsection, an affirmative vote of a majority of a quorum shall be necessary for committee action.*

~~(6)~~~~(5)~~The Military Museum and committee shall be attached to the Kentucky Historical Society for administrative and other purposes.

Section 2. This Act takes effect December 1, 2005.

Approved April 2, 2004