

**BY LAWS OF THE  
LOUISIANA STATE ARTS COUNCIL  
July 18, 2023**

ARTICLE I  
LEGISLATED AUTHORITY

Section 1. The official arts agency of the State of Louisiana will be under the jurisdiction of the Department of Culture, Recreation and Tourism and shall be composed of the Louisiana State Arts Council and the Division of the Arts. The Louisiana State Arts Council and the Division of the Arts shall serve as the state administrative body in carrying on the functions of what is required of a state arts agency.

Section 2. In accordance with R.S 25:892 the Louisiana State Arts Council shall:

- (A) Receive applications for matching federal funds available from the National Endowment for the Arts and such other funds made available to the council and make recommendations thereon.
- (B) Review and approve or reject, by majority vote of a quorum, said applications from other governmental units, community arts councils, and private, non-profit, and tax-exempt groups, and report its decision to the Director of the Division of the Arts, the Assistant Secretary of the Office of Cultural Development and the Secretary of Culture Recreation and Tourism.
- (C) Advise departmental officers on the design and execution of an annual state plan consistent with the goals and policies of the department as provided by federal and state law, rules, and regulations, and submit such plan to the National Endowment for the Arts.

Section 3. In accordance with R.S. 25:893, the Council shall make recommendations to the Secretary of the Department of Culture, Recreation and Tourism and appropriate state officials pertaining to the employment of a professional director of the Division of the Arts.

ARTICLE II  
MEMBERSHIP

Section 1. Composition. In accordance with R.S. 25:891, The Council shall consist of twenty four (24) members. Membership shall be balanced and representative of the state's arts community, including minority and ethnic groups, practicing artists, artistic disciplines, large and small arts organizations, and local arts councils. There shall be at least one member from each of the state's congressional districts, at least one member from each of the state's planning districts, and the remaining members from the state at large, appointed by the governor. Each appointment by the governor shall be submitted to the Senate for confirmation

(A) Twenty-two members of the council shall be appointed by the governor from persons nominated as follows:

(1) Three members shall be appointed from a list of names submitted by the lieutenant governor.

(2) One member shall be appointed from a name or list of names submitted by the president of the Louisiana Senate.

(3) One member shall be appointed from a name or list of names submitted by the speaker of the Louisiana House of Representatives.

(4) One member shall be appointed from a name or list of names submitted by the Louisiana Tourism Commission.

(5) One member shall be appointed from a name or list of names submitted by the Louisiana Alliance for Arts Education or its successor.

(6) Fifteen members shall be appointed from lists of names of civic, business, and cultural leaders submitted by organizations representing artists and arts organizations including but not limited to the Partnership for the Arts.

(B) The secretary of the Department of Culture, Recreation and Tourism and the assistant secretary of the office of Cultural Development shall serve as ex officio members of the council.

(C) The governor shall designate one member of the council to serve as chairman. The council shall elect, by majority vote of a quorum, other officers, including a vice chairman, secretary, and parliamentarian, to serve for two years. The council shall be domiciled in the city of Baton Rouge, but is authorized to hold public meetings elsewhere in the state.

Section 2. Appointment. Members of the Council, except the ex officio members, shall serve four year terms. Every public officer in this state except in case of impeachment or suspension shall continue to discharge the duties of his/her office until a successor is inducted into the office. (R.S. 42:2)

Section 3. Resignation. A member of the Board may resign at any time by giving written notice of such resignation to the Director of the Division of the Arts, the Secretary of the Department of Culture, Recreation and Tourism or the Assistant Secretary of the Office of Cultural Development

Section 4. Removal from Office. A member of the Board may be removed from office by the appointing authority for cause, including but not limited to abandonment of office, conviction of a felony, or a plea of *nolo contendere* thereto, malfeasance or gross misconduct in office. A member of the Board may be deemed to have abandoned his/her office upon the failure to attend any four consecutive meetings of the Board or any four meetings in a calendar year, unless the absence was excused by the appointing authority in response to the member's request.

Section 5. Compensation. Members of the Louisiana State Arts Council shall serve for no compensation, but are authorized to receive reasonable actual and travel expenses insofar as funds are made available and are authorized by the Secretary of the Department of Culture, Recreation and Tourism.

### ARTICLE III OFFICES

Section 1. The office and mailing address of the Louisiana State Arts Council shall be the same as the Division of the Arts.

#### ARTICLE IV MEETINGS

Section 1. Regular Meetings. The regular meetings of the Louisiana State Arts Council shall be held a minimum of four times a year on date, time and location, as determined by the executive committee.

Section 2. Special Meetings. Special meetings of the Louisiana State Arts Council may be held upon call of the Chairman or, in the absence of the Chairman, by the Vice Chairman or by petition from seven or more Council members.

Section 3. Notice of Meetings. All meetings of the Council shall be open to the public, in accordance with the Open Meetings Law, R.S. 42:11 et seq. For all regular and special meetings, notice shall be provided to the public as required by law. Notice shall include the agenda, date, time, and place of meeting, unless otherwise prescribed by law.

Section 4. Quorum. A simple majority of the members of the Louisiana State Arts Council shall constitute a quorum for the transaction of business. In the absence of a quorum, a meeting may be conducted, but no official business may be transacted.

Section 5. Voting Rights. Each member of the council shall be entitled to one (1) vote on any matter of business before the Council, except that the presiding officer may vote only in the event of a tie or as specified in Robert's Rules of Order, Newly Revised. Voting rights may not be exercised by proxy. The State Code of Ethics shall govern in voting rights and privileges.

Section 6. Recusal from Voting. According to (R.S. 42:1120.4) If any appointed member of a board or commission in the discharge of a duty or responsibility of his/her office or position, would be required to vote on a matter which vote would be a violation of R.S. 42:1112 (personal economic interest), he/she shall recuse himself/herself from voting.

An appointed member of a board or commission who recuses himself/herself from voting pursuant to this Section shall be prohibited from participating in discussion and debate concerning the matter.

Section 7. Organization. At every meeting the Chairman of the Louisiana State Arts Council, or in the absence of the Chairman, the Vice Chairman, or in the absence of both, the Secretary of the Council may act as Chairman. The Secretary of the Council may act as Secretary at all meetings. In the absence of the Secretary, the Chairman may appoint another person to serve as Secretary Pro Tem. Meetings shall be governed by Robert's Rules of Order, Newly Revised.

ARTICLE V  
OFFICERS OF THE COUNCIL

Section 1. Positions. The officers of the Council shall be the Chairman, the Vice-Chairman, the Parliamentarian and the Secretary, in accordance with RS 25:891

Section 2. Election and Term of Office. Officers shall be elected on odd numbered years at the regular meeting closest to and prior to December 31, and shall assume office at the next meeting (Executive or Council). Officers may serve more than one (1) two (2) year term in a particular position, but no more than two (2) terms in the same office shall be served consecutively.

Section 3. Vacancy. A vacancy in any office, other than Chairman caused by death, resignation, removal or disqualification or for any other cause may be filled for the unexpired portion of the term by the Executive Committee; subject, however, to the ratification of the Council at its next meeting.

Section 4. Duties.

(A) The Chairman shall lead all Council activities; work in partnership with the Executive Director of the Division of the Arts; communicate recommendations, actions and views of the Council to appropriate Departmental officials; Officially represent the Council when needed; establish and make appointments to ad hoc committees as needed and appoint chairmen to all committees; be a spokesperson on policy matters as adopted by the Council; serve as an ex-officio member of all Council committees except the Nominating Committee.

(B) The Vice-Chairman shall preside and perform the duties of the Chairman in their absence; chair a standing or ad hoc committee as needed;

(C) The Secretary shall review minutes prior to Council and Executive Committee meetings; read important correspondence and conduct such correspondence as authorized by the Chairman, Executive Committee or Council.

(D) The Parliamentarian shall advise the Chairman and Council regarding parliamentary procedures, By Laws and rules and regulations as adopted by the Council; advise the Chairman and the Council on matters pertaining to Federal and State laws as needed.

ARTICLE VI  
COMMITTEES

Section 1. Standing and Ad Hoc Committees. There shall be an Executive Committee and such other committees as the Council may from time to time determine. Ad hoc committees may be appointed by the Chairman as needed with the appointment of such committees reported to the Council at the next regular meeting.

Section 2. Executive Committee.

(A) The Executive Committee shall be elected every two years at the last regular or special meeting of the calendar year. Officers are to take their positions at the first meeting of the

following calendar year. The Executive Committee shall meet as needed. The duties of the Executive Committee will include: such duties as are delegated by the Council and administrative duties normally designated to such a body. The Executive Committee shall work with the Division of the Arts Executive Director to determine time, date, place and agenda for Council meetings; recommend membership to all standing committees subject to approval by the Council; select one (1) person to serve on the Council Nominating Committee; report all business and actions of the Executive Committee to the Council at its next meeting.

(B) The Chairman of the Council shall be the Chairman of the Executive Committee and shall prepare for and facilitate Council and Executive Committee meetings.

(C) Special meetings of the Executive Committee shall be held on the call of any member of the committee. Neither the Chairman nor the Executive Committee shall have the authority to commit the Council to anything (except as authorized in these By Laws) without the express consent of the Council.

Section 3. Nominating Committee. A nominating committee consisting of three (3) Council members, one (1) appointed by the full Council at the regular meeting preceding election, one (1) by the executive committee, and one (1) by the Director of the Division of the Arts shall be established to select nominees for Council officers. The Director of the Division of the Arts will act in a non-voting advisory capacity at the nomination committee meeting. The Committee will meet and submit one (1) nomination for each position to the Council, at least two (2) weeks prior to the last meeting in a calendar year when elections are held. The committee will ascertain from those nominated as to their willingness to serve prior to the actual election.

## ARTICLE VII REPORTS

The Louisiana State Arts Council, through the Department of Culture, Recreation and Tourism, Division of the Arts, shall report as required by law to the Governor and the Legislature of Louisiana on the state of the arts. It, through the Division, may also publish other reports or studies on matters affecting the state of the arts in the growth and development of the state of Louisiana.

## ARTICLE VIII AMENDMENTS

These By Laws may be either amended or repealed and new By Laws may be adopted at any meeting to the Council by a two-thirds vote of the membership present. The notice of each meeting shall be accompanied by a copy of any such proposed amendment to or of any proposed new By Laws, and of any proposal to repeal them in whole or in part.