CHAPTER 13

South Carolina Museum Commission and Institute of Archeology and Anthropology

ARTICLE 1

South Carolina Museum Commission

**SECTION 60‑13‑10.** South Carolina Museum Commission created; membership; chairman; vacancies; terms of office.

There is hereby created the South Carolina Museum Commission composed of ten members appointed by the Governor for terms of four years and until their successors are appointed and qualify. One member shall be appointed from each congressional district of the State and three members shall be appointed at large. One of the at‑large members shall be appointed chairman of the commission by the Governor. Vacancies for any reason shall be filled in the manner of original appointment for the unexpired term.

Notwithstanding the provisions above prescribing four‑year terms for members of the commission, the members appointed from even‑numbered congressional districts and one at‑large member other than the chairman shall be initially appointed for terms of two years only.

HISTORY: 1962 Code Section 9‑361; 1973 (58) 241; 2012 Act No. 176, Section 17, eff May 25, 2012.

Editor’s Note

2012 Act No. 176, Section 18 and 19, provide as follows:

“SECTION 18. Notwithstanding any other provision of law to the contrary, any person elected or appointed to serve, or serving, as a member of any board or commission to represent a Congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board or commission from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires.

“SECTION 19. In the event that elections for incumbent university board of trustees’ seats whose terms are expiring this year are not held prior to June 30, 2012, current board members will retain their seats until the General Assembly reconvenes and holds elections.”

Effect of Amendment

The 2012 amendment substituted “ten” for “nine”.

CROSS REFERENCES

Role of South Carolina Museum Commission with respect to South Carolina Underwater Antiquities Act of 1991, see Sections 54‑7‑610 et seq.

Library References

States 45.

Westlaw Topic No. 360.

C.J.S. States Sections 145 to 146, 157 to 161, 249.

**SECTION 60‑13‑20.** Meetings and officers of commission; compensation of members.

The Commission shall meet at least quarterly and at such other times as the chairman shall designate. Members shall elect a vice‑chairman and such other officers as they may deem necessary. They shall be paid such per diem, mileage and subsistence as provided by law for boards, committees and commissions.

HISTORY: 1962 Code Section 9‑362; 1973 (58) 241.

Library References

States 62, 73.

Westlaw Topic No. 360.

C.J.S. States Sections 89, 101 to 102, 196 to 198, 202 to 204, 229, 240 to 249, 253.

**SECTION 60‑13‑30.** Primary function of Commission.

The primary function of the Commission shall be the creation and operation of a State Museum reflecting the history, fine arts and natural history and the scientific and industrial resources of the State, mobilizing expert professional advice and guidance and utilizing all available resources in the performance of this function.

HISTORY: 1962 Code Section 9‑363; 1973 (58) 241.

CROSS REFERENCES

Stealing, damaging, etc. works of literature or objects of art of certain institutions, see Sections 16‑13‑330 et seq.

Library References

States 73.

Westlaw Topic No. 360.

C.J.S. States Sections 229, 240 to 249, 253.

**SECTION 60‑13‑40.** Powers of Commission.

To carry out its assigned functions, the Commission is authorized to:

(1) Establish a plan for, create and operate a State Museum;

(2) Elect an executive officer for the Commission, to be known as the Director;

(3) Make rules and regulations for its own government and the administration of its museum;

(4) Appoint, on the recommendation of the Director, all other members of the staff;

(5) Adopt a seal for use in official Commission business;

(6) Control the expenditure in accordance with law of such public funds as may be appropriated to the Commission;

(7) Accept gifts, bequests and endowments for purposes consistent with the objectives of the Commission;

(8) Make annual reports to the General Assembly of the receipts, disbursements, work and needs of the Commission; and

(9) Adopt policies designed to fulfill the duties and attain the objectives of the Commission as established by law.

HISTORY: 1962 Code Section 9‑364; 1973 (58) 241.

CROSS REFERENCES

Appointment of commissioners to Abandoned Cultural Property Board by State Museum Commission, see Section 27‑45‑20.

Library References

States 68.

Westlaw Topic No. 360.

C.J.S. States Sections 224 to 225, 240 to 249, 252.

**SECTION 60‑13‑50.** Director.

The Director of the Commission shall be the Director of the State Museum, when such facility comes into existence and his qualifications shall reflect an ability to serve in that capacity. Compensation for the Director shall be determined by the General Assembly.

HISTORY: 1962 Code Section 9‑365; 1973 (58) 241.

Library References

States 44.

Westlaw Topic No. 360.

C.J.S. States Sections 145 to 146, 156, 158 to 161.

ARTICLE 3

South Carolina Institute of Archeology and Anthropology

**SECTION 60‑13‑210.** Institute created; appointment of director, State Archaeologist and State Underwater Archaeologist; responsibilities.

(A) For the purpose of conducting archeological and anthropological research on behalf of the State, there is created the South Carolina Institute of Archeology and Anthropology, which must be under the general control of the University of South Carolina, but administratively separate from any other academic unit of the university below the level of college or school, and under the executive control of the director of the institute.

(B) The director of the institute must be experienced in archeological administration and must be a professor in the university system. The director of the institute is responsible to the State and on behalf of the institute, under appropriate state and university policies and procedures, may enter into contracts and agreements and accept grants and gifts and expend funds to conduct or cause to be conducted archaeological or anthropological research, or both, at prehistoric and historic sites and on land or beneath state waters or outside the State that may be expected to be beneficial to the State and that will preserve the archaeological and anthropological heritage of the State and contribute to an understanding of that heritage. Through the usual state and university policies and procedures the director may develop facilities and employ professional and support staff, including an associate director, appropriate for carrying out the responsibilities of this section and shall manage the day‑to‑day activities of the institute in the best interests of the State.

The director shall cooperate with the Department of Anthropology and other academic departments of the University of South Carolina in ways that are feasible and mutually agreeable in the conduct of the academic program, including teaching by the director and by the qualified members of the institute staff when the teaching does not interfere with the primary purposes of the institute.

(C) The director shall appoint the State Archeologist who must be a classified employee in the university system and who shall:

(1) create and maintain the:

(a) South Carolina Statewide Archeological Site Inventory;

(b) site numbering system for the inventory;

(c) curation of the archeological collections of the State;

(2) advise the State Historic Preservation Officer for ensuring the adequacy of all archeological research and the resulting reports of archeological research carried on in the State by an individual, organization, or other entity whether private or public;

(3) conduct or cause to be conducted archeological field or laboratory investigations, or both, on behalf of and in the best interests of the State, at prehistoric and historic sites.

(D) The director shall appoint the State Underwater Archaeologist who must be a classified employee in the university system and who shall:

(1) create and maintain a research database of state underwater archaeology sites;

(2) oversee and implement the Underwater Antiquities Act;

(3) act in concert with the State Historic Preservation Officer for ensuring the adequacy of all underwater archaeological research and the resulting reports of underwater archaeological research carried on in the State by an individual, organization, or other entity whether private or public;

(4) shall conduct or cause to be conducted underwater archaeological field or laboratory investigations, or both, on behalf of and in the best interests of the State at prehistoric and historic sites.

(E) In making the appointments or filling a vacancy for the Director of the Institute of Archeology and Anthropology, the usual search committee procedures in effect at the University of South Carolina apply.

HISTORY: 1962 Code Section 9‑331; 1963 (53) 358 [479]; 1967 (55) 719; 1984 Act No. 512, Part II, Section 22; 2000 Act No. 315, Section 1.

CROSS REFERENCES

Designation of State Underwater Archaeologist to issue licenses under, and otherwise administer, the South Carolina Underwater Antiquities Act of 1991, see Section 54‑7‑820.

Duties of the State Underwater Archaeologist with respect to the South Carolina Underwater Antiquities Act of 1991, see Sections 54‑7‑610 et seq.

Library References

States 73, 82.

Westlaw Topic No. 360.

C.J.S. States Sections 229, 240 to 249, 253, 258.