

ACT No. 272

HOUSE BILL NO. 360

BY REPRESENTATIVES MONTOUCET, BOBBY BADON, BALDONE, BARROW, BILLIOT, CHAMPAGNE, CORTEZ, CROMER, FRANKLIN, GALLOT, GISCLAIR, HARDY, HENDERSON, SAMJONES, LAMBERT, LEBAS, PERRY, POPE, RICHARD, SMILEY, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, AND WILLIAMS AND SENATOR N. GAUTREAUX

1 AN ACT

2 To amend and reenact R.S. 36:610(I) and R.S. 56:266(A), (B), (C), (D)(1), (E)(3), and (F),
3 279(B)(2) and(3), (C)(1), (D)(3) and (E), and 578.2(A) and (C), and to enact R.S.
4 36:610(L) and R.S. 56:278, relative to alligators; to remove alligators from the
5 jurisdiction of the Fur and Alligator Council; to create the Louisiana Alligator
6 Advisory Council; to provide the council's membership, functions, duties, and
7 responsibilities; to provide relative to funding for the council; to provide relative to
8 certain appointments to the Louisiana Seafood Promotion and Marketing Board for
9 the alligator industry; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 36:610(I) is hereby amended and reenacted and R.S. 36:610(L) is
12 hereby enacted to read as follows:

13 §610. Transfer of agencies to Department of Wildlife and Fisheries

14 * * *

15 I. The Louisiana Fur ~~and Alligator~~ Advisory Council (R.S. ~~56:280(C)~~
16 56:266(C)) is placed within the Department of Wildlife and Fisheries and shall
17 exercise and perform its powers, duties, functions, and responsibilities in the manner
18 provided for agencies transferred in accordance with Part III of Chapter 22 of this
19 Title.

20 * * *

1 L. The Louisiana Alligator Advisory Council (R.S. 56:278) is placed within
 2 the Department of Wildlife and Fisheries and shall exercise and perform its powers,
 3 duties, functions, and responsibilities in the manner provided for agencies transferred
 4 in accordance with Part III of Chapter 22 of this Title.

5 Section 2. R.S. 56:266(A), (B), (C), (D)(1), (E)(3), and (F) and 279(B)(2) and (3),
 6 (C)(1), (D)(3), and (E) and 578.2(A) and (C) are hereby amended and reenacted and R.S.
 7 56:278 is hereby enacted to read as follows:

8 §266. Louisiana Fur ~~and Alligator~~ Public Education and Marketing Fund

9 A. Recognizing that the Louisiana fur ~~and alligator~~ industry is a vital aspect
 10 of Louisiana's coastal economic base and that in recent years worldwide fur markets
 11 and prices have been severely depressed creating extreme hardships not only for
 12 trappers, but also for coastal landowners, fur buyers, and fur dealers; and recognizing
 13 world trends questioning the consumptive utilization of wildlife species, and
 14 recognizing that these trends and economic conditions can have a severe impact on
 15 the fur ~~and alligator~~ industry; ~~and recognizing that raw and finished fur and alligator~~
 16 ~~products are largely consumed outside of the United States;~~ and recognizing the need
 17 to educate the public concerning fur trapping ~~and alligator hunting~~ as sound wildlife
 18 management ~~practices~~ practice; and recognizing that the trapping of certain species
 19 of furbearers such as nutria and muskrat is the only realistic means for coastal
 20 landowners to effectively manage and protect over four million acres of invaluable
 21 coastal wetlands and protect adjacent agriculture; and recognizing that there is no
 22 cohesive, coordinated, and comprehensive effort to: educate the public concerning
 23 the Louisiana fur ~~and alligator~~ industry or stabilize and strengthen domestic and
 24 international markets for Louisiana furs ~~and alligators,~~ ~~and recognizing that the~~
 25 ~~Louisiana alligator program is a growing industry with the farming program having~~
 26 ~~the potential of becoming a major contributor to the success of Louisiana's~~
 27 ~~aquaculture development effort; and recognizing that significant biological, medical,~~
 28 ~~nutritional, economical, and other research must be conducted to ensure the viability~~
 29 ~~and success of the alligator program; and recognizing the need to market effectively~~

1 ~~Louisiana alligators and alligator meat~~, the Legislature of Louisiana does hereby
2 establish the Louisiana Fur ~~and Alligator~~ Public Education and Marketing Fund.

3 B. Specific goals. (1) To educate the public regarding the need for trapping
4 as a sound wildlife management tool and regarding the logic of managing furbearing
5 species ~~and alligators~~ as renewable resources.

6 (2) To identify the current consumers of Louisiana furs ~~and alligator hides~~.

7 (3) To identify present and potential Louisiana fur ~~and alligator~~ marketing
8 problems, obstacles, and related significant issues.

9 (4) To strengthen existing markets and develop new markets and marketing
10 strategies for raw and finished Louisiana fur ~~and alligator~~ products.

11 (5) To develop and implement an international advertising campaign to
12 promote the utilization of raw and finished Louisiana fur ~~and alligator~~ products.

13 (6) To examine, evaluate, and make recommendations concerning any aspect
14 of the fur ~~and alligator~~ industry including habitat management, harvest, and
15 marketing which will enhance the future of the industry and perpetuate the
16 conservation of these species.

17 ~~(7) To make specific recommendations to the secretary regarding the~~
18 ~~expenditures of monies from the Alligator Resource Fund including any annual~~
19 ~~surplus only as provided for in R.S. 56:279.~~

20 C. The Louisiana Fur ~~and Alligator~~ Advisory Council. (1) Pursuant to R.S.
21 36:605(B)(2), the secretary shall create the Louisiana Fur ~~and Alligator~~ Advisory
22 Council, which shall be within the Department of Wildlife and Fisheries. The
23 Louisiana Fur ~~and Alligator~~ Advisory Council shall be responsible for reviewing and
24 approving recommended procedures and programs to be funded from the Louisiana
25 Fur ~~and Alligator~~ Public Education and Marketing Fund ~~and the Louisiana Alligator~~
26 ~~Resource Fund~~ to ensure that any monies from the funds are expended for the
27 specific goals of the council.

28 (2) This council shall be composed of ~~thirteen~~ nine members of which ~~eleven~~
29 seven shall be appointed by the secretary.

1 (a) The individuals appointed by the secretary to this council shall represent
 2 a cross section of trappers, ~~alligator hunters, and~~ and coastal landowners, ~~and alligator~~
 3 ~~farmers~~ as follows:

4 (i) One member of the council shall represent trappers ~~and alligator hunters~~
 5 from north Louisiana.

6 (ii) One member shall represent trappers ~~and alligator hunters~~ from
 7 southwest Louisiana.

8 (iii) One member shall represent trappers ~~and alligator hunters~~ from
 9 southeast Louisiana.

10 (iv) One member shall represent trappers ~~and alligator hunters~~ statewide.

11 (v) Three members shall represent coastal landowners.

12 ~~(vi) Four members who shall be active, working alligator farmers shall~~
 13 ~~represent the Louisiana Alligator Farmers and Ranchers Association.~~

14 (b) One member of the council shall be designated by the speaker of the
 15 House of Representatives and another member shall be designated by the president
 16 of the Senate.

17 (3) ~~These associations may submit, in writing, to the secretary, nominations~~
 18 ~~for these members.~~ The secretary may appoint ~~seven~~ members recommended by the
 19 Louisiana Trappers and Alligator Hunters ~~and four members recommended by the~~
 20 ~~Louisiana Alligator Farmers and Ranchers Association, which may submit~~
 21 nominations, in writing, to the secretary.

22 (4) The secretary or his designee shall be an ex officio member of said
 23 council and shall be present at all official meetings.

24 (5) All members of the council shall serve four-year terms.

25 D. Appropriations. (1) All revenues received by the state from license fees
 26 imposed on trappers ~~and alligator hunters~~ as required in R.S. 56:251(A)(1) shall be
 27 credited to the Bond Security and Redemption Fund. After a sufficient amount is
 28 allocated from that fund to pay all obligations secured by the full faith and credit of
 29 the state which become due and payable within any fiscal year, the state treasurer is
 30 authorized and directed to transfer annually the amount of twenty dollars for each

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1 (1) Three members of the council shall be licensed alligator hunters
2 appointed from a list of five nominations from the Louisiana Trappers and Alligator
3 Hunters Association. The nominees shall have held licenses for the preceding three
4 hunting seasons. One member shall be appointed to represent the area of the state
5 north of United States Highway 90, one member shall be appointed to represent the
6 area of the state south of United States Highway 90 and east of the Atchafalaya
7 River, and one nominee shall be appointed to represent the area of the state south of
8 United States Highway 90 and west of the Atchafalaya River.

9 (2) Three members shall be licensed farmers appointed from a list of five
10 nominations from the Louisiana Alligator Farmers and Ranchers Association. The
11 nominees shall have held licenses for the preceding three years.

12 (3) Three members shall be appointed from a list of five nominations from
13 the Louisiana Landowners Association. The nominees shall all own or manage land
14 located in the coastal zone. One member shall be appointed to represent the area of
15 the coastal zone east of Bayou Lafourche, one member shall be appointed to
16 represent the area of the coastal zone between Bayou Lafourche and the parish line
17 between Iberia Parish and Vermilion Parish, and one member shall be appointed to
18 represent the area of the coastal zone west of the parish line between Iberia Parish
19 and Vermilion Parish.

20 (4) The secretary or his designee shall be an ex officio member of said
21 council and shall be present at all official meetings.

22 C. A vacancy created whether by reason of death, resignation, expiration of
23 term, or any other cause of a member of the council shall be filled in the same
24 manner as provided in Subsection B of this Section.

25 D.(1) The members of the council initially appointed shall, at their first
26 meeting, determine by lot their terms of office, which terms shall commence
27 immediately upon their appointment and shall expire, respectively, as follows: one
28 member from each of the nominating authorities in two years, one member from
29 each of the nominating authorities in four years, and one member from each of the

1 Resource Fund an amount equal to the revenues generated from collection from
2 those sources provided for in this Section and other sources as provided by law.

3 * * *

4 D.

5 * * *

6 (3) The Department of Wildlife and Fisheries in utilizing monies from the
7 fund shall contract, only with the approval of the Louisiana ~~Fur and Alligator~~
8 Advisory Council, for any services relating to specific goals enumerated in this
9 Section. The secretary is hereby authorized and empowered to carry out any and all
10 contracts entered into in order to achieve these goals.

11 E. The Department of Wildlife and Fisheries shall make a written operating
12 report to the legislature at the end of each fiscal year. This report will contain a
13 summary of revenues received, expenditures made, and the status of achievement of
14 specific goals. This report shall be submitted to the House Committee on Natural
15 Resources and Environment and the Senate ~~Committees~~ Committee on Natural
16 Resources by the end of the calendar year.

17 * * *

18 §578.2. Louisiana Seafood Promotion and Marketing Board; creation and
19 organization

20 A.(1) There is hereby created in the office of the secretary of the Department
21 of Wildlife and Fisheries the Louisiana Seafood Promotion and Marketing Board.
22 The agency shall have its domicile in Baton Rouge and shall be governed by a board
23 of trustees composed of ~~fifteen~~ sixteen members, ~~fourteen~~ fifteen members to be
24 appointed by the governor from persons engaged in the commercial seafood and
25 alligator industry in Louisiana to serve terms concurrent with the governor, and the
26 ~~fifteenth~~ sixteenth member to be the secretary of the Department of Wildlife and
27 Fisheries or his designated representative, who shall serve as an ex officio member.

28 (2) The appointed members shall be chosen as follows:

1 (a) One shall be appointed from a list of three names submitted by the
2 American Shrimp Processors Association and the Louisiana Shrimp Association.

3 (b) One shall be appointed from a list of three names submitted by the
4 Louisiana Oyster Dealers and Growers Association.

5 (c) One shall be appointed from a list of three names submitted by the
6 Louisiana crawfish industry.

7 (d) One shall be appointed from a list of three names submitted by the
8 Louisiana Restaurant Association.

9 (e) Two shall represent the harvesting sector of the shrimp industry, one or
10 more of which shall be appointed from a list of names submitted by shrimp
11 organizations or associations currently active throughout the state.

12 (3) Of the remaining ~~eight~~ nine members to be appointed:

13 (a) One member shall be a seafood retailer or wholesaler.

14 (b) One member shall represent the commercial saltwater finfish industry.

15 (c) One member shall represent the commercial freshwater finfish industry.

16 (d) One member shall be a seafood processor.

17 (e) One member shall represent the crab industry.

18 (f) One member shall be a home economist.

19 (g) One member shall represent the wild catfish industry.

20 (h) One member shall be a marketing specialist.

21 (i) One member shall represent the alligator industry.

22 (4) The names of each of the ~~fourteen~~ fifteen members appointed by the
23 governor shall be submitted to the Senate for confirmation.

24 * * *

25 C. The presence of ~~eight~~ nine members of the board shall constitute a
26 quorum for the transaction of all business and the carrying out of duties of the board.

27 Each member shall take and subscribe to the oath of office prescribed for state
28 officers. No member shall receive any salary, but each member shall receive the sum
29 of twenty dollars per day for each day spent in actual attendance at meetings of the
30 board or at meetings of duly appointed committees or subcommittees thereof and

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1 such allowance for traveling expenses in attending the meetings as is allowed for
2 other state employees for traveling expenses.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____