

SENATE BILL NO. 733

BY SENATOR CHABERT

1 AN ACT

2 To amend and reenact R.S. 56:578.2(A), (B), (C), and (D) and to enact R.S. 56:578.2(F),  
3 relative to the Louisiana Seafood Promotion and Marketing Board; to provide for its  
4 membership; to provide for the election of its officers; to provide for certain term  
5 limits for officers; to provide certain requirements, terms, and conditions; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:578.2(A), (B), (C), and (D) are hereby amended and reenacted  
9 and R.S. 56:578.2(F) is hereby enacted to read as follows:

10 §578.2. Louisiana Seafood Promotion and Marketing Board; creation and  
11 organization

12 A.(1) There is hereby created in the office of fisheries of the Department of  
13 Wildlife and Fisheries the Louisiana Seafood Promotion and Marketing Board. The  
14 agency shall have its domicile in Baton Rouge and shall be governed by a board of  
15 trustees composed of ~~sixteen~~ **fourteen** members, ~~fifteen~~ **thirteen** members ~~to be~~  
16 appointed by the governor from persons engaged in the commercial seafood,  
17 **crawfish** and alligator industry in Louisiana ~~to serve terms concurrent with the~~  
18 ~~governor~~; and the ~~sixteenth~~ **fourteenth** member to be the secretary of the  
19 Department of Wildlife and Fisheries or his designated representative, who shall  
20 serve as an ex officio **nonvoting** member.

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

22 (a) One shall be appointed from a list of three names submitted by **members**  
23 **from Louisiana of** the American Shrimp Processors Association ~~and the Louisiana~~  
24 ~~Shrimp Association~~.

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

27 (c) One shall be appointed from a list of three names submitted by the  
28 Louisiana crawfish industry. **The appointment shall rotate between a farmer, a**

1 **harvester, and a processor.**

2 (d) One shall be appointed from a list of three names submitted by the  
3 Louisiana ~~Restaurant Association~~ **Oyster Task Force.**

4 (e) ~~Two~~ **One** shall represent the harvesting sector of the shrimp industry, one  
5 or more of which shall be appointed from a list of **three** names submitted by shrimp  
6 organizations or associations currently active throughout the state **the Louisiana**  
7 **Retailers Association and shall be a seafood buyer.**

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

9 (a) One member shall be a seafood retailer or wholesaler **appointed from a**  
10 **list of three names submitted by the Louisiana Shrimp Association.**

11 (b) One member shall represent the commercial saltwater finfish industry.  
12 **The appointment shall rotate between a harvester and a processor.**

13 (c) One member shall ~~represent the commercial freshwater finfish industry.~~  
14 **be appointed from a list of three names submitted by the Louisiana Restaurant**  
15 **Association.**

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

17 (e) One member shall ~~represent the crab industry~~ **be appointed from a list**  
18 **of three names submitted by the Crab Task Force.**

19 ~~(f) One member shall be a home economist.~~

20 ~~(g)~~**(f)** One member shall represent the wild catfish industry. **The**  
21 **appointment shall rotate between a farmer, a harvester, and a processor.**

22 ~~(h)~~**(g)** One member shall be a marketing specialist.

23 ~~(i)~~**(h)** One member shall represent the alligator industry. **The appointment**  
24 **shall rotate between a farmer, a harvester, and a processor.**

25 (4) The names of each of the ~~fifteen~~ **thirteen** members appointed by the  
26 governor shall be submitted to the Senate for confirmation.

27 B. ~~The members of the board shall meet and elect a chairman, vice chairman,~~  
28 ~~and a secretary-treasurer from the membership of the board~~ **At its first regular**  
29 **meeting in the third quarter of each state fiscal year, the board shall elect for**  
30 **a one year term a chairman and vice chairman, who shall also be the chairman-**

1 elect, and a secretary-treasurer, whose duties shall be those customarily exercised  
 2 by such officers or specifically designated by the board. No member shall be  
 3 elected as an officer until such member has served at least one year on the  
 4 board. No member elected chairman shall serve consecutive terms and no  
 5 member may serve as chairman more than two terms. No chairman shall serve  
 6 as vice chairman in the term following his term as chairman. The board may  
 7 establish rules and regulations for its own government and the administration of the  
 8 affairs of the board. The board may disqualify any appointed member for cause,  
 9 including excessive absences from board meetings. ~~If any board member is so~~  
 10 ~~disqualified, the vacancy created thereby shall be filled by appointment by the~~  
 11 ~~governor for the remainder of the unexpired term.~~ A vacancy occurring on the  
 12 board for any reason shall be filled in the same manner as the original  
 13 appointment was made. However, members appointed to fill the vacancies shall  
 14 only serve for the unexpired term of their predecessors.

15 C. The presence of ~~nine~~ eight members of the board shall constitute a quorum  
 16 for the transaction of all business and the carrying out of duties of the board. Each  
 17 member shall take and subscribe to the oath of office prescribed for state officers. ~~No~~  
 18 ~~member shall receive any salary, but each member shall receive the sum of twenty~~  
 19 ~~dollars per day for each day spent in actual attendance at meetings of the board or at~~  
 20 ~~meetings of duly appointed committees or subcommittees thereof and such~~  
 21 ~~allowance for traveling expenses in attending the meetings as is allowed for other~~  
 22 ~~state employees for traveling expenses.~~ The members of the board shall serve  
 23 without compensation; however, the members may receive the same  
 24 reimbursement for travel expenses for attending meetings as is allowed for state  
 25 employee travel.

26 D.(1) The board shall maintain a record of its proceedings, and all matters  
 27 requiring a vote of the board shall be recorded in the minutes in sufficient detail to  
 28 determine whether subsequent action thereon is in compliance with the board's  
 29 directives.

30 (2) At the end of each state fiscal year, the board shall submit to the

1           House Natural Resources and Environment Committee and the Senate  
 2           Committee on Natural Resources a report that describes the accomplishments  
 3           and contributions of the board toward achieving the mission of promoting  
 4           Louisiana seafood, and shall include in such report the budget of the board for  
 5           that fiscal year and for the following fiscal year.

\*       \*       \*

7           F.(1) The terms of all members serving on the board shall expire at  
 8           midnight on December 31, 2012. Appointments for terms beginning on January  
 9           1, 2013, shall be made as follows:

10           (a) The terms of the members appointed pursuant to Subparagraphs  
 11           (A)(2)(a) and (b), and (A)(3)(b) and (h) of this Section shall be for three years.

12           (b) The terms of the members appointed pursuant to Subparagraphs  
 13           (A)(2)(c), (A)(3)(e),(f), and (g) of this Section shall be for one year.

14           (c) The term of the members appointed pursuant to Subparagraphs  
 15           (A)(2)(d) and (e) and (A)(3)(a),(c), and (d) of this Section shall be for two years.

16           (2) At the end of each term set forth in Paragraph (1) of this Subsection,  
 17           the members appointed thereafter shall serve a term of four years.

18           (3) At the first regularly scheduled meeting of the board after January  
 19           1, 2013, the board shall adopt rules and bylaws which shall be submitted no  
 20           later than thirty days after their adoption to the House Natural Resources and  
 21           Environment Committee and the Senate Committee on Natural Resources for  
 22           approval by the committees. The rules and bylaws shall not go into effect until  
 23           the committees approve of such rules and bylaws.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_