

# ACT No. 606

HOUSE BILL NO. 875

BY REPRESENTATIVES HARRISON, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, CARMODY, CHAMPAGNE, CROMER, DOVE, EDWARDS, FOIL, GISCLAIR, GUINN, HARDY, HENDERSON, HOWARD, SAM JONES, LAMBERT, LEGER, LITTLE, LOPINTO, LORUSSO, RICHARD, SIMON, JANE SMITH, ST. GERMAIN, STIAES, TEMPLET, TUCKER, WILLIAMS, AND WOOTON AND SENATOR N. GAUTREAUX

1 AN ACT

2 To amend and reenact R.S. 56:10(B)(1)(b) and 578.12(B) and to enact R.S. 36:610(B)(11)  
3 and R.S. 56:494, relative to shrimp; to create the Louisiana Shrimp Task Force  
4 within the Department of Wildlife and Fisheries; to provide for its membership; to  
5 provide for its powers, duties, functions, and responsibilities; to provide relative to  
6 funding; to provide relative to the Shrimp Marketing and Promotion Account and the  
7 Shrimp Trade Petition Account; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 36:610(B)(11) is hereby enacted to read as follows:

10 §610. Transfer of agencies and functions to Department of Wildlife and Fisheries

11 \* \* \*

12 B. The following agencies, as defined in R.S. 36:3, are transferred to and  
13 hereinafter shall be within the Department of Wildlife and Fisheries, as provided in  
14 R.S. 36:802.

15 \* \* \*

16 (11) The Shrimp Task Force (R.S. 56:494)

17 \* \* \*

1 Section 2. R.S. 56:10(B)(1)(b) and 578.12(B) are hereby amended and reenacted and  
2 R.S. 56:494 is hereby enacted to read as follows:

3 §10. Annual report to governor; estimate of proposed expenditures; particular funds;  
4 warrants; vouchers; surplus funds

5 \* \* \*

6 B.(1) Subject to the exception contained in Article VII, Section 9(A) of the  
7 Constitution of Louisiana, all funds collected by the commission from every source  
8 shall be paid into the state treasury and shall be credited to the Bond Security and  
9 Redemption Fund. Out of the funds remaining in the Bond Security and Redemption  
10 Fund after a sufficient amount is allocated from that fund to pay all obligations  
11 secured by the full faith and credit of the state which become due and payable within  
12 any fiscal year, the treasurer shall, prior to placing such remaining funds in the state  
13 general fund, conform to the following:

14 \* \* \*

15 (b)(i) Pay annually into the Seafood Promotion and Marketing Fund, into a  
16 special account entitled the "Shrimp Marketing and Promotion Account", an amount  
17 equal to the fees collected pursuant to R.S. 56:305(G) and paid into the treasury by  
18 the commission. All expenditures and allocation of funds from this account shall be  
19 administered jointly by the Louisiana Seafood Promotion and Marketing Board and  
20 the Louisiana Shrimp Task Force to be used for the development of markets for  
21 shrimp and creation of marketing strategies for the development and market  
22 expansion for shrimp harvested from Louisiana waters.

23 (ii) Pay annually into the Conservation Fund, into a special account entitled  
24 the "Shrimp Trade Petition Account", an amount equal to the fees collected pursuant  
25 to R.S. 56:305(H) and 506.1. Subject to annual appropriation by the legislature, the  
26 monies in the fund shall be used exclusively for the purposes of promotion and  
27 protection of domestic wild-caught shrimp. For purposes of this Item, promotion and  
28 protection of domestic wild-caught shrimp shall include expenses related to the  
29 petition filed by the Southern Shrimp Alliance in December 2003 for the imposition  
30 of ~~anti-dumping~~ antidumping duties pursuant to Section 731 of the Tariff Act of



1                   (6) One member appointed by the governor who is an active Louisiana dock  
 2                   buyer of shrimp.

3                   (7) Three members and three alternate members appointed by the governor  
 4                   who are active Louisiana shrimp processors, at least one of whom is selected from  
 5                   a list of three nominees submitted by the American Shrimp Processors Association.

6                   C. The members appointed under the provisions of Paragraphs (B)(1) through  
 7                   (4) of this Section shall be nonvoting members. In addition, they shall not be  
 8                   considered members of the task force for determination of the number of members  
 9                   necessary for a quorum and for establishing the presence of a quorum.

10                  D. The task force shall adopt bylaws under which it shall operate, and four  
 11                  voting members of the task force shall constitute a quorum sufficient to conduct  
 12                  meetings and business of the task force. The governor shall appoint the chairman of  
 13                  the task force for a period of one year and thereafter, the task force shall elect a  
 14                  chairman from its membership and may seek and receive assistance from universities  
 15                  within the state in the development of methods to increase production and  
 16                  marketability of shrimp. The members of the task force shall serve without  
 17                  compensation; however, the task force may receive the same reimbursement of travel  
 18                  expenses for attending the meetings as is allowed for other state employees' travel.

19                  E. The task force is hereby charged with responsibility to do the following:

20                   (1) Coordinate efforts to increase shrimp production and marketability.

21                   (2) Provide for the study of the decline in shrimp marketability and market  
 22                   price, provide for the study of the impacts of imported shrimp on the domestic  
 23                   market, assist in the development of a state shrimp inspection program, assist in the  
 24                   development of a Louisiana shrimp certification and branding program, and make  
 25                   recommendations to the Wildlife and Fisheries Commission and the Department of  
 26                   Wildlife and Fisheries, the Department of Natural Resources, the Department of  
 27                   Agriculture and Forestry, and the Department of Health and Hospitals for  
 28                   implementation of policies to help enhance the domestic shrimp industry.



1                   (4) To contract for legal services to represent the interests of the Louisiana  
2                   shrimp industry in judicial, administrative, and legislative proceedings.

3                   (5) To perform any acts deemed necessary and proper to carry out its duties  
4                   and responsibilities.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

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

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