

Revised Statute 56

Sections that Pertain to Alligators

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RS 56:8 Definitions

Last Modified 09/13/2016

§8. Definitions

For purposes of this Chapter, the following words and phrases have the meaning ascribed to them in this Section, unless the context clearly shows a different meaning:

(4) "Alligator farm" means an enclosed area, constructed so as to prevent the ingress and egress of alligators from surrounding public or private lands or waters and meeting other specifications prescribed by the department, where alligators are bred and raised under controlled conditions. Alligator farm also includes an alligator ranch wherein eggs are collected from the wild, artificially incubated and raised, pursuant to department license or permit.

(5) "Alligator farmer" means a person who raises alligators under controlled conditions which prohibit free movement of the animals onto and off of the farm or controlled area, and who may harvest alligators under the supervision of the department.

(6) "Alligator hunter" means a resident or nonresident person who takes wild alligators.

(7) "Alligator part" means any part of the carcass of an alligator, except the hide and includes the bony dorsum plates, if detached from the tagged alligator hide.

(8) "Alligator parts dealer" means any person who deals in alligator parts other than hides and who either:

(a) Buys unprocessed alligator parts from an alligator hunter, another alligator parts dealer, or an alligator farmer for the purpose of resale.

(b) Manufactures within the state nonedible alligator parts into a finished product.

(c) Purchases, cans, unprocessed alligator meat or processes alligator meat for wholesale or retail sale.

(9) "Alligator parts retailer" means a properly licensed person who purchases for retail sale finished alligator parts made from parts other than hides.

(31) "Consumer" means patrons of restaurants and other places where alligator, fish, shrimp, or other aquatic life is prepared for human consumption; or any person using alligator, fish, shrimp, or other aquatic life for bait or personal consumption.

(51) "Finished alligator part" means any nonedible alligator part that has been completely processed from parts other than hides for retail sale.

(63) "Fur buyer" means anyone who buys whole nongame quadrupeds for the purpose of pelting, carcasses of furbearing animals, raw furs or skins from fur trappers, alligator hunters, alligator farmers, fur buyers, or fur dealers and who sells to another fur buyer or fur dealer within the confines of the state or to a nonresident fur dealer in interstate commerce, or who acts as an agent of another fur buyer or fur dealer in this state in such purchase or sale. Fur buyers are divided into two classes, resident and nonresident. Resident buyers are those who are bona fide residents of this state. All others are nonresident buyers.

(64) "Fur dealer" means anyone who deals in whole nongame quadrupeds for the purpose of pelting, carcasses of furbearing animals, raw furs, and skins and who either:

(a) Buys from a fur trapper, alligator farmer, or alligator hunter, either directly or indirectly, and ships or exports from this state, either directly or indirectly, the raw furs and skins so bought.

(b) Buys from a fur buyer or other fur dealer and exports from this state the raw furs and skins so bought.

(c) Buys from a fur trapper, alligator hunter, alligator farmer, fur buyer, or other dealer and sells such raw furs and skins for manufacturing into a finished product in this state.

(d) Manufactures such furs and skins into a finished product in this state, buying directly from a fur trapper, alligator hunter, alligator farmer, fur buyer, or fur dealer.

(e) Transports raw furs or skins into this state for the purpose of sale within the state. Fur dealers are divided into two classes, resident and nonresident. Resident dealers are those who are bona fide residents of this state. All others are nonresident dealers.

(f) Converts raw alligator skins through the tanning process into finished or partially finished leather and/or converts raw (green or dried) fur pelts into dressed furs ready for manufacturing.

(65) "Fur trapper" means any person who takes or attempts to take any nongame quadruped, except alligators, or a person who sets or runs traps of any type to catch such nongame quadrupeds during the open trapping season. Fur trappers are divided into two classes, resident and nonresident. Resident trappers are those who are bona fide residents of this state. All others are nonresident trappers.

(69) "Hook" means any curved or bent device attached to a line for the purpose of taking fish or alligator and consisting of not more than one eye and one shank with no more than three barbs.

(89) "Nongame quadruped" means alligators, beavers, bobcats, coyotes, gray foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks, and other wild quadrupeds valuable for their skins or furs.

(105) "Processing" means any method of preparing fish or fish products, or wild quadrupeds for market as described herein: drying to a point of dehydration, canning, salting, packing or packaging of alligators or parts, breeding, and cooking for immediate consumption, but not simple packing of fresh fish in a sack, bag, package, crate, box, lug, or vat.

(132) "Tanning" means the conversion of alligator skins or fur pelts into an intermediate or finished form and includes the following: crust tanning alligator leather, dyeing alligator leather, glazing alligator leather, tanning fur pelts, shearing fur pelts, and dyeing fur pelts, and includes the dressing of skins and furs.

(142) "Underutilized species" means species of fish, bivalves, and reptiles that have commercial development potential which has not been fully realized. Historically, this has included shark, clams, alligators, mullet, squid, gafftopsail catfish, hardhead catfish, spot, pinfish, silver eel, spanish mackerel, croaker, and black drum.

(143) "Wildbirds" means and includes any and all of the following:

(a) Migratory game birds: all species of ducks, geese, rails of all species, coots (poule d'eau), gallinules, snipe, woodcock, and wild doves of all species.

(b) Resident game birds: wild turkey, black francolin, bobwhite quail, and pheasants of all species.

(c) Outlaw birds: crows, red-wing blackbirds (rice birds), English sparrows, starlings, and when destructive to crops, grackles and other species of blackbirds.

(d) Protected birds: all resident and migratory wild birds not described hereinbefore as game birds or outlaw birds are protected.

Wild birds does not include birds taken, possessed, or transported under the provisions set forth in the game breeder or hunting preserve licenses.

(144)(a) "Wild quadrupeds" means and includes any and all of the following:

(i) Game quadrupeds: wild deer, bears, squirrels, and wild rabbits.

(ii) Outlaw quadrupeds: coyotes, armadillos, and feral hogs.

(iii) Protected quadrupeds: wolves, cougars, bobcats, and foxes; provided that foxes and bobcats may be run with dogs.

(iv) Nongame quadrupeds: mink, otter, muskrat, nutria, beaver, weasels, raccoons, skunks, opossum, alligator, and other wild quadrupeds valuable for their skins or furs.

(b) Wild quadrupeds does not include wild quadrupeds taken, possessed, or transported under the provisions set forth in the game breeder license. The terms "wild quadrupeds" and "wild game quadrupeds" shall not include buffalo, bison, or beefalo.

RS 56:30.3 Lease of State Lands: Access to Public Waterways

Last Modified 08/24/2011

§30.3. Lease of state lands; access to public waterways

A. Any contract entered into for the lease of state lands for any purpose shall require that access by the public to public waterways through the state lands covered by the lease shall be maintained and preserved for the public by the lessee. The provisions of this Section shall not prohibit the secretary of the agency having control over the property to restrict access to public waterways if he determines that a danger to the public welfare exists. The provisions of this Section shall not apply in cases involving title disputes.

B. Notwithstanding any provision of law to the contrary, if the secretary determines there exists a public need to maintain the most recent lessee of record, his heirs, or assignees, the secretary may offer the most recent lessee of record, his heirs, or assignees, if he made a bid, the option to match the highest bid in order to continue to lease the state lands. The provisions of this Subsection shall apply to lessees who held a lease with another party, which lease was subsequently transferred to the state. The provisions of this Subsection shall not apply to oyster leases, oil and gas leases or alligator leases entered into by the department, or to any lease entered into by the State Mineral and Energy Board. The department shall promulgate rules and regulations providing for uniform criteria to assess the management of leased property.

RS 56:251 Licenses: Possession Limit for Nonresident Alligator Hunter:

Deposit as Guarantee of Payment of Severance Tax: Penalties

Last Modified 08/12/2003

§251. Licenses; possession limit for nonresident alligator hunter; deposit as guarantee of payment of severance tax; penalties

A. The following license fees shall be levied on each fur trapper, alligator hunter, fur buyer, and fur dealer:

(1) Every resident fur trapper, fifteen years of age or older, before commencing the business of trapping furbearing animals, shall secure annually from the department a trapper's license, which shall be furnished upon the payment of twenty-five dollars. Every resident fur trapper under the age of fifteen years, before commencing the business of trapping furbearing animals, shall secure annually from the department a trapper's license, which shall be furnished upon the payment of five dollars. Every nonresident fur trapper, before commencing the business of trapping furbearing animals, shall secure annually from the department a nonresident trapper's license, which shall be furnished upon the payment of two hundred dollars. Every resident and nonresident fur trapper must at all times have this license in possession while trapping or selling pelts or animals. The secretary of the department is hereby authorized to enter into reciprocal agreements with any state with respect to nonresident license fees for the trapping of furbearing animals.

(2)(a)(i) Every resident alligator hunter shall before commencing business procure annually from the department a resident alligator hunting license, which shall be furnished upon payment of twenty-five dollars, and the filing of an application approved by the department. Every nonresident alligator hunter shall before commencing business procure annually from the department a nonresident alligator hunter license, which shall be furnished upon the payment of one hundred fifty dollars, and the filing of an application approved by the department. Every resident and nonresident alligator hunter must at all times have this license in possession while hunting.

(ii) Upon payment of a fee of an additional twenty-five dollars, the department shall issue to a duly licensed resident alligator hunter a license authorizing that hunter to have one resident assistant accompany him while hunting alligators. Such assistant shall not be required to have an alligator hunter's license or any class thereof provided that the assistant is working under the immediate supervision and in the presence of the licensed alligator hunter. This assistant license shall be valid only for the same period for which the license of the alligator hunter is valid. The assistant shall be allowed to assist in the taking of alligators and shall not be allowed to possess an alligator tag or a tagged alligator outside the presence of the licensed alligator hunter, and the licensed alligator hunter shall not be authorized to transfer an alligator tag to such assistant. The hunter shall keep, on an official form provided by the department, the name, address, and social security number of each unlicensed assistant who assists him and shall make such information available to the department within fifteen days of the close of the alligator season.

(iii) All regulations and licensing procedures pertaining to the taking, possessing, and shipping of all alligators, raw alligator skins, and alligator parts shall be established by the department.

(b) Repealed by Acts 1999, No. 73, §1.

(3) Every resident fur buyer shall, before commencing business, procure annually from the department a resident fur buyer's license, which shall be furnished upon the payment of twenty-five dollars and the filing of an application approved by the department.

(4) Every nonresident fur buyer shall before commencing business procure annually from the department a nonresident fur buyer's license, which shall be furnished upon the payment of one hundred dollars, and the filing of an application approved by the department. Every resident and nonresident fur buyer must at all times have this license in possession while operating his business.

(5) Every resident fur dealer shall, before commencing business, procure annually from the department a resident fur dealer's license, which shall be furnished upon the payment of one hundred fifty dollars and a deposit of five hundred dollars, to guarantee payment of the severance tax on raw furs and skins, and the filing of an application approved by the department.

(6) Every nonresident fur dealer shall before commencing business procure annually from the department a nonresident fur dealer's license, which shall be furnished upon the payment of three hundred dollars, and a deposit of one thousand dollars to guarantee payment of the severance tax on raw furs and skins, and the filing of an application approved by the department. Every resident and nonresident dealer must at all times have this license in possession or prominently displayed while operating his business.

B. Violation of this Section constitutes a class three violation.

RS 56:252 Residence of Alligator Hunters, Fur Buyers and Dealers

Last Modified 10/11/2005

§252. Residence of alligator hunters, fur buyers and dealers

A. Only such persons who are bona fide residents, as defined in R.S. 56:8, may apply for a resident alligator hunters license.

B. Only such persons who are bona fide residents, as defined in R.S. 56:8, may apply for resident fur buyer or dealer licenses.

C. Violation of this Section constitutes a class two violation.

RS 56:253 Shipping Raw Furs, Alligators, Alligator Skins, and Alligator Parts

Out of State; Tags

Last Modified 12/14/2016

§253. Shipping raw furs, alligators, alligator skins, and alligator parts out of state; tags

A. No resident or nonresident fur buyer shall ship furs, alligators, or alligator skins out of state.

B. No resident fur dealer, trapper, alligator hunter, alligator parts dealer, alligator farmer, or nonresident fur dealer or nonresident alligator hunter shall ship or take raw furs, alligators, alligator skins, or alligator parts out of state without first complying with the provisions of this Section and rules and regulations of the commission.

C.(1) Every resident fur dealer, trapper, alligator hunter, alligator farmer, nonresident fur dealer, or nonresident alligator hunter before shipping raw furs, alligators, or alligator skins out of the state shall secure from the department, or duly authorized representative thereof, a tag to be attached to the shipment. The tag shall be of a distinctive color, bear a serial number and entry headings for information as to the character of the shipment and the name and address of the specific licensed fur dealer making the shipment, and the specific name and address of the receiver or purchaser of the shipment, including the location to which the skins are actually being shipped. The tag shall be filled out at the time of shipment, and be provided with a detachable stub bearing the same serial number and entry headings as appear on the body of the tag. The stub shall be filled out with duplicate information appearing on the body of the tag and returned to the department at the time of shipment, with the proper amount of severance tax due.

(2)(a) Every resident fur dealer, alligator hunter, alligator farmer, taxidermist, nonresident fur dealer, or nonresident alligator hunter, before shipping alligators or raw alligator skins out of state, or before tanning or using for taxidermy of raw alligator skins within the state, shall pay to the department an alligator shipping label fee for each alligator so shipped and shall pay an alligator hide tag fee for each raw alligator skin to be so shipped, used for taxidermy, or tanned. The alligator shipping label fee and the alligator hide tag fee shall be collected by the department from the fur dealer, taxidermist, alligator hunter, alligator farmer, nonresident fur dealer, or nonresident alligator hunter who is shipping alligators or raw alligator skins, or who intends to tan, or use for taxidermy, the raw alligator skins. The department shall collect such fees at the time of shipment, using for taxidermy, or tanning, and no alligator shipping label or out-of-state shipping tag shall be issued by the department for a shipment before payment of the appropriate fee is received by the department. The alligator shipping label fee for each alligator to be shipped and the alligator hide tag fee for each raw alligator skin to be shipped, used for taxidermy, or tanned shall be no more than four dollars per alligator or raw alligator skin; however, the alligator shipping label fee and the alligator hide tag fee shall each be reduced in any fiscal year by rule or regulation of the commission in an equal amount equivalent to any amount of additional revenues received into the Louisiana Alligator Resource Fund from the state general fund or sources other than alligator-related fees established pursuant to this Title. Revenues received by the state pursuant to this Paragraph shall be distributed as provided in R.S. 56:266 and 279.

(b) Alligator hide tags shall be issued to licensed alligator hunters and licensed alligator farmers without charge and in accordance with the rules and regulations of the commission.

(3) REPEALED BY ACTS 1992, NO. 499, §2, EFF. JUNE 22, 1992, AND ACTS 1992, NO. 528, §2, EFF. JUNE 29, 1992.

D. Every resident alligator hunter, alligator farmer, or alligator parts dealer before shipping alligator parts out of state shall, in addition to satisfying regulations of the U.S. Department of Interior and the Louisiana Department of Health, affix to the shipment a label showing the following: (1) LDWF license number of the alligator parts dealer, alligator hunter or alligator farmer; (2) identify alligator parts as meat, head, feet, teeth or other; (3) provide name and address of shipper.

E. No fur, alligator, alligator skins, alligator eggs, or alligator parts intended for shipment out of state shall be accepted by any post office, express company, agent, or agent of any common carrier nor any agent thereof, unless there is attached to the shipment to each consignee one of the tags specified in Subsection C above or the labels specified in Subsection D above.

F. Violation of any of the provisions of this Section constitutes a class three violation.

RS 56:255 Alligator Records; Inspections

Last Modified 08/12/2003

§255. Alligator records; inspections

A. Every resident or nonresident buyer and every resident or nonresident dealer shall keep within the state a complete record on forms procured from or approved by the department of all purchases and sales made by him of whole alligators and alligator hides and skins, showing the number and kinds that were bought and sold, from whom purchased and to whom sold, the dates of purchases and sales, and when each purchase was made, giving all information to the department that it may require. All records, books, and memoranda of each resident alligator hunter, resident and nonresident buyer, and resident or nonresident dealer, shall be open at all times to the inspection of the duly authorized officer of the department who may inspect the skins on hand at any time and check and verify the books, records, and reports.

B. Every buyer or dealer having raw, green, undressed alligator hides in his possession shall file with the department within sixty days after the date of purchase, prior to shipping out of state, or prior to tanning, whichever comes first, a complete report, on forms procured from or approved by the department wherein is set forth in detail the number of raw, green, undressed alligator hides, with a detailed description thereof, then owned or held in possession as owner or agent by the person filing the report forms. The report shall contain the names and addresses of the persons from whom the hides were purchased and the place and date of purchase.

C. Violation of this Section constitutes a class three violation.

RS 56:256 Severance Tax

Last Modified 08/12/2003

§256. Severance tax

There is levied a severance tax on all skins or hides taken from any furbearing animals or alligators, within the state, payable to the state through the department by the fur trapper, alligator hunter, or alligator farmer shipping or taking his own catch out of state, or by the dealer, shipping skins or hides out of state or tanning fur pelts or alligator skins in the state, as follows: on beaver, bobcat, coyote, fox, muskrat, opossum, raccoon, ringtailed cat, skunk, or spotted skunk, one cent on each skin; mink, ten cents on each skin; nutria (Coypu), two cents on each skin; otter, twenty-five cents on each skin; alligator, twenty-five cents on each skin. Violation of this Section is a class two violation.

RS 56:257 Payment of Tax by Trappers, Alligator Hunters, and Alligator Farmers Shipping or Taking Own Catch Out of State; Shipping Tags

Last Modified 08/12/2003

§257. Payment of tax by trappers, alligator hunters, and alligator farmers shipping or taking own catch out of state; shipping tags

A. Every trapper shipping or taking his own catch of furs out of state is liable for the severance tax thereon, and shall apply to the department for official shipping tags, and remit the tax promptly at the time of shipment.

B. Every alligator hunter or alligator farmer shipping or taking his own catch of alligator skins out of state is liable for the severance tax thereon, and shall apply to the department for official shipping tags and forms, and remit the tax promptly at the time of shipment.

C. Violation of this Section constitutes a class two violation.

RS 56:258 Dealer Records: Payment of Tax; Confiscation of Furs and Skins

Last Modified 08/12/2003

§258. Dealer records; payment of tax; confiscation of furs and skins

A. Every dealer shall maintain complete detailed records of the kind and number of furs purchased inside and outside of the state and of all such furs shipped out of the state or tanned within the state. Dealer records shall be completed and made available to the department for audit purposes within sixty days after the close of the trapping season. Dealers shall remit to the department or pay to the authorized representative thereof within ten days following an annual audit of the dealer's records the full amount of the tax due.

B. Every dealer shall maintain complete detailed records of the number of whole alligators and alligator skins purchased inside and outside the state and all alligator skins shipped out of state or alligator skins tanned within the state. Dealer records shall be completed and furnished to the department at the time of shipment or prior to tanning and dealer must concurrently remit the full amount of tax due.

C. Failure to pay the tax, as provided, subjects all pelts of Louisiana furbearing animals and alligator skins held by dealers to confiscation by order, general or special, of the department. Failure to maintain complete records and to pay the tax subjects any dealer to the full penalties provided and the immediate revocation of his license by the department. No license shall be issued to a dealer who has not paid the tax for the preceding year.

D. Violation of this Section constitutes a class three violation.

RS 56:260 Setting a Trap, Snare, Net, or Other Device

Last Modified 08/12/2003

§260. Setting a trap, snare, net, or other device

A. No person shall set any trap, capable of taking any nongame quadruped more than one day before the open trapping or alligator season, or permit such device to remain set after the closing day of the open season. All traps shall be run daily and all traps must be removed from the trapping grounds and alligator hunting areas the last day of open season.

B. Violation of this Section constitutes a class four violation.

RS 56:261 Possession: Alligator Eggs, Live Alligators, Skins

Last Modified 08/12/2003

§261. Possession; alligator eggs, live alligators, skins

A. No person shall take or possess the eggs of alligators, or alligators, or their skins in any parish of this state except as provided for by rules and regulations of the commission. Alligators or their skins shall be tagged as provided for by rules and regulations of the commission. The possession or sale of untagged wild harvested alligators or their skins is prohibited. Upon approval by the commission, a special permit shall be issued to take, possess, or sell the eggs of alligators or live alligators.

B. Violation of this Section constitutes a class four violation.

RS 56:262 Nongame Quadrupeds; Breeding, Propagation, and Exhibition

Last Modified 08/12/2003

§262. Nongame quadrupeds; breeding, propagation, and exhibition

A. Whoever desires to engage in the business of raising and/or exhibiting imported or native nongame quadrupeds shall apply to the department for a license to do so. If it appears that the application is made in good faith, upon a payment of ten dollars, a nongame quadruped exhibitor license may be issued permitting the applicant to breed and/or exhibit such animals provided he meets rules and regulations of the department.

B. Whoever desires to engage in the business of raising, exhibiting, and selling imported or native nongame quadrupeds or collecting and selling wild alligator eggs shall apply to the department for a license to do so. If it appears that the application is made in good faith, upon payment of twenty-five dollars, a nongame quadruped breeder license may be issued permitting the applicant to breed, propagate, exhibit, and sell such animals

alive or sell their parts; and to kill and transport them and sell their pelts, skins, or carcasses as hereinafter provided in this Section.

C. Nongame quadruped breeder and exhibitor licenses shall expire on the thirty-first of December of each year. On or before the first of December of each year, every licensee shall apply for a renewal of his exhibitor or breeder license. In conjunction with this application, or without application if not renewing the license, the licensee shall provide a report including all information as specified by the department.

D. Nongame quadrupeds raised on such licensed breeding farms may be sold alive or taken for their pelts, skins, or for food according to rules and regulations of the commission. All skins shall be tagged according to rules and regulations of the commission. The severance tax as fixed by law shall be paid before the raw pelts or alligator skins are shipped out of state, or tanned within the state, and a written affidavit as to the number and kinds shipped or tanned shall be furnished to the department as specified.

E. All nongame quadruped carcasses or parts intended for sale shall be shipped, transported, sold, or offered for sale according to commission regulations.

F. The department may issue a permit to a duly licensed breeder to take such wild animals as needed for use as breeding stock. The licensed breeder shall apply in writing, stating where the animals are to be taken, at what time, and in what numbers.

G. Whoever under the authority of this Section has in his lawful possession any such animal or parts thereof on such posted or fenced breeding area shall have a property right therein and shall be the owner thereof. Whoever enters the nongame quadruped farm or catches, takes, or molests such animals when the area has been posted or fenced according to law shall be punished as though the animals were ordinary domestic animals and subject to the property rights of the state of Louisiana.

H. The department may revoke the license of any person violating the provisions of this Section.

I. All other rules and regulations pertaining to the breeding, propagation, and sale of nongame quadrupeds shall be determined solely by the commission.

J. Violation of this Section constitutes a class three violation.

RS 56:263 Alligator Parts, Buy and Selling; License; Report; Tagging

Last Modified 08/12/2003

§263. Alligator parts, buying and selling; license; reports; tagging

A.(1) Each alligator parts dealer shall secure an alligator parts dealer license from the department before commencing business. The license shall be secured annually and shall be furnished upon the payment of fifty dollars.

(2) Each retailer purchasing for retail sale finished alligator parts made from parts other than hides shall secure a license from the department before commencing

business. The license shall be secured annually and shall be furnished upon the payment of five dollars.

B.(1) Any licensed alligator hunter or farmer may sell alligator carcasses or parts, provided he completes an official alligator parts transaction form, furnished or approved by the department, for every alligator part transaction and provides each purchaser with a bill of sale. These forms shall be submitted to the department by the alligator hunter at the end of the calendar year and by the alligator farmer with his annual report which is due by December first of each year.

(2) Any alligator parts dealer purchasing alligator parts shall complete an official alligator parts purchase form for each purchase. Any alligator parts dealer selling alligator parts shall complete an official alligator parts sale form for each sale and provide each purchaser with a bill of sale. These parts transaction forms shall be furnished by the department and shall be submitted to the department annually, no later than June thirtieth.

(3) Any alligator parts retailer purchasing finished alligator parts shall maintain a bill of sale for each purchase for a period of six months after such purchase. These records shall be available for inspection by the department.

(4) The records of transactions involving alligator parts of alligator hunters, farmers, and parts dealers, shall be available for inspection by the department. Each parts dealer shall maintain complete records for a period of one year following any transaction.

C. All other rules and regulations pertaining to commerce in alligator parts shall be determined solely by the department.

D. Violation of this Section constitutes a class two violation.

RS 56:265 Trespass on Marshlands to Trap or Hunt for Fur Bearing Animals

Last Modified 08/12/2003

§265. Trespass on marshlands to trap or hunt fur bearing animals

No person shall go upon marsh or low prairie lands, or swamplands belonging to another, without the consent of the owner or of one authorized to grant consent; and there capture, catch, trap, take, shoot, or ensnare any alligator, mink, muskrat, nutria, otter or raccoon; nor attempt to commit, or be upon such lands for the purpose of committing, any such act; nor aid, assist, or abet another to commit or to attempt to commit any such act; nor conspire with another for any of such purposes. Violation of this Section is a class two violation.

RS 56:278 Louisiana Alligator Advisory Council

Last Modified 10/13/2008

§278. Louisiana Alligator Advisory Council

A. The Louisiana Alligator Advisory Council is hereby created in the Department of Wildlife and Fisheries. The Louisiana Alligator Advisory Council shall be responsible for reviewing and approving recommended marketing, research, and educational programs to be funded from the Louisiana Alligator Resource Fund to ensure that any monies from the funds are expended for the specific goals of the council.

B. This council shall be composed of members appointed by the secretary as follows:

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

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

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

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

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

D.(1) The members of the council initially appointed shall, at their first meeting, determine by lot their terms of office, which terms shall commence immediately upon their appointment and shall expire, respectively, as follows: one member from each of the nominating authorities in two years, one member from each of the nominating authorities in four years, and one member from each of the nominating authorities in six years, from the first day of July immediately succeeding such appointment. Thereafter all terms shall be six years.

(2) No member shall succeed himself after completion of a six-year term but may be reappointed after not serving on the council for six years. However, if a person has been appointed to fill less than one-half of an unexpired term, such person shall be eligible to serve consecutively an additional six-year term in addition to such partial term.

RS 56:278.2 Louisiana Seafood and Marketing Board; Creation and
Organization

Last Modified 08/12/2013

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

A.(1) There is hereby created in the Department of Culture, Recreation and Tourism the Louisiana Seafood Promotion and Marketing Board. The agency shall have its domicile in Baton Rouge and shall be governed by a board of trustees composed of fourteen members, thirteen members appointed by the lieutenant governor from persons engaged in the commercial seafood, crawfish and alligator industry in Louisiana and the fourteenth member to be the secretary of the Department of Culture, Recreation and Tourism or his designated representative, who shall serve as an ex officio nonvoting member.

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

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

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

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

(d) One shall be appointed from a list of three names submitted by the Louisiana Oyster Task Force.

(e) One shall be appointed from a list of three names submitted by the Louisiana Retailers Association and shall be a seafood buyer.

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

(a) One member shall be appointed from a list of three names submitted by the Louisiana Shrimp Association.

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

(c) One member shall be appointed from a list of three names submitted by the Louisiana Restaurant Association.

(d) One member shall be a seafood processor.

(e) One member shall be appointed from a list of three names submitted by the Crab Task Force.

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

(g) One member shall be a marketing specialist.

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

(4) The names of each of the thirteen members appointed by the lieutenant governor shall be submitted to the Senate for confirmation.

B. At its first regular meeting in the third quarter of each state fiscal year, the board shall elect for a one year term a chairman and vice chairman, who shall also be the chairman-elect, and a secretary-treasurer, whose duties shall be those customarily exercised by such officers or specifically designated by the board. No member shall be elected as an officer until such member

has served at least one year on the board. No member elected chairman shall serve consecutive terms and no member may serve as chairman more than two terms. No chairman shall serve as vice chairman in the term following his term as chairman. The board may establish rules and regulations for its own governance and the administration of the affairs of the board. The board may disqualify any appointed member for cause, including excessive absences from board meetings. A vacancy occurring on the board for any reason shall be filled in the same manner as the original appointment was made. However, members appointed to fill the vacancies shall serve only for the unexpired term of their predecessors.

C. The presence of eight members of the board shall constitute a quorum for the transaction of all business and the carrying out of duties of the board. Each member shall take and subscribe to the oath of office prescribed for state officers. The members of the board shall serve without compensation; however, the members may receive the same reimbursement for travel expenses for attending meetings as is allowed for state employee travel.

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

(2) At the end of each state fiscal year, the board shall submit to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs a report that describes the accomplishments and contributions of the board toward achieving the mission of promoting Louisiana seafood, and shall include in such report the budget of the board for that fiscal year and for the following fiscal year. The annual management and programmatic analysis report submitted to the legislature in accordance with R.S. 36:8 shall satisfy this requirement.

E. The lieutenant governor may appoint an executive director from a list of nominees submitted by the board. The executive director shall serve at the pleasure of the lieutenant governor and shall receive such salary fixed by the lieutenant governor. The executive director shall serve as the executive and administrative staff of the board and shall discharge all operational, maintenance, administrative, and executive functions of the board, subject to the control, jurisdiction, and supervision of the secretary of the Department of Culture, Recreation and Tourism. The executive director may employ such other personnel for the board as he deems necessary and appropriate, including an assistant director who may be in the unclassified service, subject to approval by the secretary of the Department of Culture, Recreation and Tourism.

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

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

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

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

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

(3) At the first regularly scheduled meeting of the board after January 1, 2013, the board shall adopt rules and bylaws which shall be submitted no later than thirty days after their adoption to the House Committee on Commerce and the Senate Committee on Commerce, Consumer

Protection, and International Affairs for approval by the committees. The rules and bylaws shall not go into effect until the committees approve of such rules and bylaws.

RS 56:279 Louisiana Alligator Resource Fund

Last Modified 09/28/2012

§279. Louisiana Alligator Resource Fund

A. Recognizing that the Louisiana alligator industry is a vital aspect of Louisiana's economic base and that in recent years worldwide markets and prices have expanded at a tremendous rate; and recognizing the rapid expansion of Louisiana alligator farming industry statewide; and recognizing the uniqueness of the state's alligator farming industry, one state agency, the Department of Wildlife and Fisheries, has provided the impetus for inception and development of the total alligator conservation program; and recognizing the many beneficial influences that Louisiana's alligator program has had on crocodilian conservation worldwide; and recognizing world trends questioning the consumptive utilization of wildlife species, and recognizing that those trends, by adversely affecting economic conditions, could have a severe impact on the alligator industry; and recognizing that raw and finished alligator skins and products are largely consumed outside the United States; and recognizing the need to educate the public concerning alligator hunting as a sound wildlife management practice; and recognizing the urgent need to support the alligator industry with a comprehensive research and development program; and recognizing the need to staff and fund the Department of Wildlife and Fisheries with adequate personnel in order to service this industry's needs, the Legislature of Louisiana does hereby establish the Louisiana Alligator Resource Fund within the Louisiana Wildlife and Fisheries Conservation Fund. The Alligator Resource Fund is intended to help defray the cost of alligator programs within the office of wildlife of the Department of Wildlife and Fisheries.

B. The specific goals of this Section are:

(1) To provide salaries and financial support including associated indirect cost for the following positions, to provide a minimum of two full-time technical positions (biologists) and eight nontechnical positions such as computer operators, secretaries, and wildlife specialists existing within the office of wildlife of the Department of Wildlife and Fisheries.

(2) To assist with funding for law enforcement activities associated with the alligator farm industry when surplus funds are available and recommended by the Louisiana Alligator Advisory Council.

(3) To assist with funding marketing programs recommended by the Louisiana Alligator Advisory Council when surplus funds are available.

(4) To actively fund research on all aspects involved with alligator conservation and to develop the techniques needed to enhance the commercial alligator industry.

(5) To assist in funding management of the alligator population through proper management, harvest, and farm facility management.

C.(1) Except as otherwise provided by law, all revenues received by the state from the sale of licenses as provided in R.S. 56:251(A)(2), from tag fees imposed on alligator hunters, alligator farmers, alligator shipping label fees on the sale of alligators, all revenues derived from the sale of alligators, alligator skins, or alligator eggs harvested from department-administered lands, all fees

derived from alligator lottery harvest programs on department-administered lands and public waters, and all revenues derived from any other alligator-related fees and from the severance tax on alligator skins provided for in R.S. 56:256 shall be credited by the state treasurer to a special fund designated as the "Louisiana Alligator Resource Fund" after those revenues have been deposited in the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state that become due and payable within each fiscal year, the treasurer, prior to placing such funds in the state general fund, shall pay into the Louisiana Alligator Resource Fund an amount equal to the revenues generated from collection from those sources provided for in this Section and other sources as provided by law.

(2) The state treasurer shall invest the monies in this fund in the same manner as monies in the state general fund. Any surplus monies remaining to the credit of the fund, after all appropriations of the preceding fiscal year have been made, shall remain to the credit of the fund. The state treasurer shall prepare and submit to the department on a quarterly basis a printed report showing the amount of money contained in the fund from all sources.

(3) Any amounts earned through investment of the monies in the fund shall remain to the credit of the fund and shall not revert to the state general fund.

D.(1) The monies made available by the legislature from the fund as provided in this Section or from any other source shall be used solely for the programs, purposes, and specific goals enumerated in this Section.

(2) The Department of Wildlife and Fisheries shall maintain records of the sources of money received and the purposes therefor, as well as the person or persons to whom money is paid and the purpose therefor. Vouchers or receipts shall be kept for all money paid out. Money appropriated or otherwise made available to the department for authorized purposes shall be withdrawn from the treasury on warrant of the secretary of the department.

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

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

RS 56:280 White or Albino Alligators; Taking from the Wild; Prohibition; Penalties; Notification to Alligator Hunters

Last Modified 08/12/2003

§280. White or albino alligators; taking from the wild; prohibition; penalties; notification to alligator hunters

A. Recognizing that the Louisiana alligator is an important and integral aspect of a vast and complex ecological system, it shall be the policy of the state that those extremely rare species of alligator whose color substantially deviates from the norm shall be especially protected.

B.(1) No person shall, whether intentionally or unintentionally, take from the wild any alligator that is white or albino.

(2) Subject to the rules and regulations promulgated by the department:

(a) Landowners or licensed alligator farmers or ranching operations, may take the alligator from the wild for its own protection.

(b) Any alligator eggs in the possession of or collected by a licensed alligator farmer or ranching operation which are hatched and contain white or albino alligators may, with prior approval of the department, remain in the possession of such licensed operators.

(3) All such instances of possession shall be reported immediately to the department.

(4) The disposition of white or albino alligators which have been reported to the department under the provisions of this Subsection shall be established by rules and regulations. Any person who unintentionally takes from the wild any alligator that is white or albino which is taken by the state shall be paid just compensation therefor by the state.

C. Any person who unintentionally takes from the wild any alligator that is white or albino by hook and line shall immediately report its presence and location to the department, whether the alligator is dead or alive.

D. It shall be a violation of this Section if any person intentionally takes from the wild any alligator that is white or albino by means of a long or compound bow and barbed arrow, firearm, or by any other means. In addition to the penalties imposed by Subsection E of this Section, any such person who violates the provisions of this Subsection shall immediately report the alligator's presence and location to the department, whether the alligator is dead or alive.

E. Whoever violates any provision of this Section shall be subject to a fine of not less than ten thousand dollars and imprisoned for not less than six months or more than twelve months, or both. For any subsequent violation of this Section, there shall be a fine of not less than ten thousand dollars imposed and imprisonment for not less than two years.

F. It shall be the responsibility of the department to provide notice to all alligator hunters of the provisions of this Section, both orally and in writing, at the time they apply for a resident or nonresident alligator hunter's license.

RS 56:317 Louisiana Catch and Cook Program; Preparation of Recreational
Fish or Alligator in Retail Food Establishments

Last Modified 08/11/2016

§317. Louisiana Catch and Cook Program; preparation of recreational fish or alligator in retail food establishments

A. Notwithstanding any provision of the state Sanitary Code or any other law or regulation to the contrary, it shall be lawful for retail food establishments to receive and prepare any freshwater or saltwater recreational fish as defined in R.S. 56:8 or alligator as provided in this Section.

B.(1) The secretary of the Department of Wildlife and Fisheries is hereby authorized to establish the Louisiana Catch and Cook Program, whereby a retail food establishment is authorized to prepare any fish legally taken by a licensed recreational fisherman or any alligator legally taken by a licensed alligator hunter for consumption by that recreational fisherman or alligator hunter or any person in the fisherman's or hunter's party.

(2) The program shall be established through the promulgation and adoption of rules and regulations in conjunction with the Louisiana Department of Health and in accordance with the Administrative Procedure Act. Such rules and regulations shall include but are not limited to the following which shall be enforced by Louisiana Department of Health, office of public health:

(a) The retail food establishment shall complete, date, and have the recreational fisherman or alligator hunter who brings the fish or alligator in for preparation sign an assumption of risk form. The completed, dated, and signed form shall be maintained at the establishment for a period of no less than ninety days. The establishment shall provide the completed forms to the state health officer upon request.

(b) The retail food establishment shall receive only fish or alligator meat that has been cleaned, filleted, placed in clean, food-grade, single-service packaging, and properly refrigerated.

(c) The retail food establishment shall inspect the fish or alligator for freshness and proper receiving temperature.

(d) The fish or alligator shall be properly labeled with the date, time, and name of the recreational fisherman or alligator hunter.

(e) The retail food establishment shall store, prepare, and otherwise handle the fish or alligator separately from products being prepared for and served to the general public.

(f) The retail food establishment shall store, prepare, and otherwise handle the fish or alligator in compliance with provisions of the state Sanitary Code.

(g) The retail food establishment shall prepare and serve the fish to the recreational fisherman or alligator to the alligator hunter or any person in the fisherman's or hunter's party within four hours of receipt of the fish or alligator.

(h) Containers, preparation tables, cutting boards, utensils, and other food preparation equipment used to prepare and serve the fish or alligator shall be properly cleaned and sanitized in accordance with provisions of the state Sanitary Code prior to use preparing foods to serve to the general public.

(i) The fish or alligator shall be served directly to the recreational fisherman or alligator hunter or any person in the fisherman's or hunter's party immediately upon the completion of cooking and shall not be served to the general public.

C. Any retail food establishment that wishes to participate in the Louisiana Catch and Cook Program shall apply to the Department of Wildlife and Fisheries to be issued a participation permit by the department. There shall be no fee for the application process or permit. The permit may be suspended or revoked by the department for any violation of the rules and regulations of this program. The Department of Wildlife and Fisheries shall provide the name and location of each participating retail food establishment to the Louisiana Department of Health, office of public health, upon request.

RS 56:644 Fishing and Hunting License Checkoff; Donation for Hunters for the Hungry

Last Modified 09/04/2015

§644. Fishing and hunting license checkoff; donation for Hunters for the Hungry

A. Each individual who purchases a fishing or hunting license may donate to Hunters for the Hungry. The donation shall be made at the time of the purchase of the license and shall be made upon the license form as prescribed by the secretary.

B. There is hereby created within the Conservation Fund a special account known as the "Hunters for the Hungry Account". The account is created to receive deposits of donations for the benefit of Hunters for the Hungry made when an individual purchases a fishing and hunting license. Subject to the exception contained in Article VII, Section 9(A) of the Constitution of Louisiana, all funds collected from the donations made under the provisions of this Section shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall, prior to placing such remaining funds in the state general fund, pay into the Hunters for the Hungry Account an amount equal to the amount of funds collected under the provisions of this Section. The account shall be administered by the treasurer who shall every three months remit the balance of the monies in the account to Hunters for the Hungry. The monies in the account shall be used solely as provided by Subsection C of this Section. All unexpended and unencumbered monies in this account at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund.

C. No more than twenty-five percent of the monies in the account shall be used for administrative costs. The balance shall be used solely by Hunters for the Hungry to pay for the following:

(1) Processing and distribution of commercial or game fish, migratory or resident game bird, game quadruped, alligator, or feral hog when any of these shall be used by a not-for-profit entity or a charitable organization in food or meal distribution at no cost to an individual.

(2) Advertising, promotion, or marketing costs incurred to make the general public aware of the mission of Hunters for the Hungry, including the option to donate money when purchasing a fishing or hunting license.

D. All monies used pursuant to the Hunters for the Hungry Account shall be subject to audit by the legislative auditor.

E. At the end of each calendar year, Hunters for the Hungry shall submit to the House Natural Resources and Environment Committee and the Senate Committee on Natural Resources a report that at a minimum contains a detailed explanation of the revenues and expenditures of the account, as well as a description of the organization's activities related to the account. The committee may summon any person employed by or associated with Hunters for the Hungry to provide testimony with respect to the report.

RS 56:797 Rockefeller Foundation Wildlife Refuge and Game Preserve; Revenues; Allocation

Last Modified 08/12/2003

§797. Rockefeller Foundation Wildlife Refuge and Game Preserve; revenues; allocation

A.(1) All revenues belonging to the state of Louisiana which are received as royalty, rentals, or otherwise from leases for the exploration, development, or production of oil, gas, and other minerals on all or any portion of the lands in the parishes of Vermilion and Cameron comprising the Rockefeller Foundation Wildlife Refuge and Game Preserve, which was donated to the state of Louisiana by the Rockefeller Foundation by act of donation executed by it on September 30, 1920, and was accepted by the state of Louisiana under the terms and provisions of Act No. 71 of 1920 on November 8, 1920, which constitutes a contract between the state of Louisiana and Rockefeller Foundation entered into pursuant to said Act, and which is now on file and of record in the offices of the secretary of state and the commissioner of conservation and also in the offices of the clerks of court and ex officio recorders of the parishes of Vermilion and Cameron, subject to the prior charge on said revenues in favor of the Royalty Road Funds for the parishes of Vermilion and Cameron under authority of Section 2 of Article IV of the Louisiana Constitution of 1921, and Section 4 of Article VII of the Louisiana Constitution of 1974, when collected shall be deposited in the state treasury in a special fund designated as the Rockefeller Wildlife Refuge and Game Preserve Fund.

(2) The state treasurer is authorized and directed to transfer annually an amount equaling five percent of the annual revenues credited to said fund into a special fund designated as the Rockefeller Wildlife Refuge Trust and Protection Fund. If mineral and interest income credited to the Rockefeller Wildlife Refuge and Game Preserve Fund exceeds ten million dollars annually, the state treasurer is authorized and directed to transfer annually an amount equaling twenty-five percent of the annual income credited to the Preserve Fund into the Rockefeller Wildlife Refuge Trust and Protection Fund. Such

transfers shall be made until such time as the principal amount credited to such fund equals the sum of fifty million dollars.

B. The remaining revenues comprising the said Rockefeller Wildlife Refuge and Game Preserve Fund and all income earned from investments of such revenues, shall be used first, for the purpose of paying the costs of maintenance, policing, and improving the said wildlife refuge and preserve, and the development of conditions suitable for improving such wildlife refuge and preserve, and any surplus of revenues derived from said mineral development or production on Rockefeller Wildlife Refuge shall be used by the Department of Wildlife and Fisheries in wildlife management programs and activities, particularly land acquisition throughout the state.

C. The state treasurer shall invest the principal and the undistributed return on the principal deposited in the said Rockefeller Wildlife Refuge Trust and Protection Fund for the purpose of achieving perpetual financing of said fund. Such investments may include, among others authorized by law the following:

(1) Equity investments in stocks, common and preferred, or corporations listed on the New York Stock Exchange, the American Stock Exchange, or quoted on the National Association of Securities Dealers Automated Quotations System, provided that the total investment in such securities at any one time shall not exceed thirty-five percent of the market value of all funds held by the fund. The treasurer may hire, on a contract basis, investment managers or consultants as deemed appropriate to provide for the equity investments of the fund. Such contracts shall be on a fee, together with minimum exchange fee, basis or on a commission basis only, with payment for such fees being appropriated from the fund.

(2) Direct general obligations of, or obligations on which the timely payment of the principal and interest is unconditionally guaranteed by the United States of America.

(3) Bonds, debentures, notes, or other evidences of indebtedness issued by any of the following agencies of the United States government: Government National Mortgage Association; Rural Development Administration; Export-Import Bank of the United States; Federal National Mortgage Association; Federal Home Loan Mortgage Corporation; Federal Home Loan Bank; and Student Loan Marketing Association.

(4) Bonds, debentures, notes, or other evidences of indebtedness issued by any of the following agencies of the United States government, or any other like governmental or government-sponsored agencies which are hereafter created, including the Bank of Cooperatives, Federal Financing Bank, Small Business Administration, and Bank for Reconstruction and Development.

D. Investment income from said trust and protection fund shall be allocated annually, even during the period that the fund is being increased to the fifty-million-dollar level, as follows:

(1) Three hundred thousand dollars to McNeese State University for educational purposes. The provisions of this Paragraph shall be inoperative and of no effect after July 1, 1993.

(2) Sixty thousand dollars to the Governor's Special Commission on Educational Services to provide for undergraduate and graduate scholarships to Louisiana state colleges

and universities for Louisiana residents to study in the fields of wildlife, forestry, or marine sciences, or study in curricula leading to study in such fields, such scholarships to have been approved by the Department of Wildlife and Fisheries for funding from such monies.

(3) Three hundred thousand dollars for the Department of Wildlife and Fisheries to purchase lands that are of benefit to waterfowl and contribute to the North American Waterfowl Management Plan.

(4) Three hundred thousand dollars for the Department of Wildlife and Fisheries to purchase land for upland game habitat.

(5) Until the principal in the Rockefeller Wildlife Refuge Trust and Protection Fund reaches fifty million dollars, one hundred fifty thousand dollars to the Louisiana Fur and Alligator Advisory Council to accomplish the specific goals listed in R.S. 56:279(B).

(6) If revenue available from the Rockefeller Wildlife Refuge and Game Preserve Fund is not sufficient to cover the cost of maintenance, policing, and improving the said wildlife refuge and preserve, and the development of conditions suitable for improving such wildlife refuge and preserve, any investment income needed from the trust and protection fund shall be made available to fulfill said needs, subject only to appropriation by the legislature. Use of the funds for such purposes shall take precedence over any other purpose provided in this Section.

(7) However, as a one-time allocation, three hundred fifty thousand dollars to the Department of Wildlife and Fisheries for an initial design of a nature trail and visitor's center at the Rockefeller Wildlife Refuge and Game Preserve.

E.(1) The investment income from said trust and protection fund remaining after the annual allocations provided for in this Section shall be added to the trust and protection fund. When the principal amount credited to the Rockefeller Wildlife Refuge Trust and Protection Fund reaches an amount equal to the sum of fifty million dollars, the proceeds derived from interest earned on investment of the principal shall, subject to all prior annual transfers of funds provided for by this Section, be allocated by the state treasurer in accordance with legislative appropriation to the Department of Wildlife and Fisheries to be used by said department first solely to defray the expense of maintaining, policing, and improving the Rockefeller Foundation Wildlife Refuge and Game Preserve and for the development of conditions suitable for improving said wildlife refuge and game preserve.

(2) After all needs of the refuge have been provided for, any income earned from the investment of the principal shall, subject to legislative appropriation, be available to the Department of Wildlife and Fisheries for the following activities:

- (a) Marsh Island and State Wildlife Refuge land stewardship.
- (b) Statewide fur management and research.
- (c) Statewide alligator management and research.
- (d) Statewide migratory bird management and research.