

Louisiana Oyster Task Force By-Laws

Creation and Organization

The Louisiana Oyster Task Force is created by Louisiana Legislative Act as amended, which sets forth the membership and its powers and duties.

A. Membership vacancies that occur

- (a) Vacancies which occur shall be filled in the same manner by the groups identified in the Louisiana Legislation which created the Task Force as the original appointments.
- (b) Oyster Associations that become defunct at any time may be removed from the Task Force by a two-thirds vote of the members
- (c) The Task Force shall meet and organize immediately after appointment of the members, and shall elect the Chairman, Vice-Chairman, and a Secretary from the membership of the Task Force, whose duties shall be those customarily exercised by such officers or specifically designated by the Task Force. Annual election of officers shall be held at a regular meeting during the first quarter of each year. The Task Force may establish rules and regulations for its own government and administration of the affairs of the Task Force.
- (d) The Task Force members shall receive no salary for their services as members, but may be reimbursed for actual travel and other expenses incurred in attendance at meetings of the Task Force or on official business of the Task Force assigned by the Task Force. The reimbursement may be paid out of funds available to the Task Force.

B. Powers and Duties of the Task Force; Meeting Notice

- a) The Task Force shall:
 - (1) Meet regularly, not less often than once in each calendar quarter or at such times as called by the Chairman, or when requested by five members of the Task Force.
 - (2) Maintain a permanent record of its business proceedings.
 - (3) Maintain a permanent and detailed record of its financial accounts.
 - (4) Prepare periodic reports and an annual report of its activities for the fiscal year.
 - (5) Establish reasonable regulations for its own government and administration of the affairs of the Task Force.
- b) Notice of all Task Force meetings shall be made in writing and delivered to the members ten days prior to the date of the meeting. Items to be considered for

voting are to be clearly spelled out in the agenda notice as to their intent and if requested, a summary supplied to the Task Force members.

C. Quorums

- a) Six members of the Task Force shall constitute a quorum for the purpose of conducting business.

D. Resignations; Removals

- a) Any Task force member may resign at any time by giving written notice to the members of the Task Force, to the Chairman, or to the Secretary. Any such resignation shall take effect at the time specified therein, or if no time be therein specified, upon receipt of; and, unless otherwise specified therein, the acceptance of such a resignation shall not be necessary to make it effective.
- b) The task force members by vote of not less than a majority, may at any time, with just cause, remove, discharge or terminate a member of the Task Force.
 - (1) Task Force members may be removed for missing three consecutive meetings. The Task Force shall request the Governor's office, Government agency, or Association whose Task Force member is removed to replace their representative on the Task Force.
 - (2) If an Association or Government Agency is unresponsive to a request by the Task Force, sent by certified mail, to send a representative on the behalf of its Association or Government Agency to a task Force meeting, then that Association or Government Agency will be deemed defunct.

E. Vacancies

- a) If for any reason a member of the Task Force becomes unable to fulfill his term or his position on the Task Force becomes vacant, the Task Force, by majority vote shall notify the association or Government Agency and proceed with the member's replacement-

F. Committees and Sub-Committees

- a) All Committees and Sub-Committees shall be designed to develop and encourage discussion on any pertinent issue provided by the Task Force Chairman. Committee reports shall contain final resolution to be considered by the Task Force.
- b) The committee and committee chairman shall be appointed by the Task Force Chairman.
- c) The Committee structure and voting structure shall be determined by the Committee Chairman.
- d) The Committee Chairman shall set meetings, conduct business, and report back to the full Task Force.

G. Decorum at Louisiana Oyster Task Force Meetings

1. Each member of the Task Force shall cooperate with the Chairman in preserving order and decorum, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the Task Force, nor disturb any member while speaking, or fail to abide by the orders of the Task Force or its Chairman, except as specifically permitted by these Rules of Task Force.
2. Any person who shall disturb the peace of the Task Force, make impertinent or slanderous remarks or conduct himself in a boisterous manner while addressing the Task Force shall be forthwith barred by the Chairman from further audience before the Task Force, except that if the speaker shall submit to proper order under these rules, permission for him to continue may be granted by a majority vote of the Task Force.
3. Task Force meetings shall be conducted in a courteous manner. Citizens and Task Force members present will be allowed to state their positions in an atmosphere free of slander, threats of violence or the use of Task Force as a forum for politics. Sufficient warnings may be given by the Chairman at any time during the remarks and, in the event that any individual shall violate the rules of decorum heretofore set forth, the Chairman may then cut off comment or debate.
4. Each member of the Task Force and every member of the public shall be required to utilize a silent alert mode on or to mute the sound emitted from all electronic devices in their possession (including but not limited to cellular telephones, pagers, radios, personal data assistants, and hand-held or portable computers), during all Task Force proceedings. Law enforcement and emergency services personnel acting in their official capacity shall be exempt from this section.

SUBPART D. OYSTERS AND OYSTER INDUSTRIES

§421. Oyster Task Force

A. There is hereby established the Oyster Task Force to study and monitor the molluscan industry and to make recommendations for the maximization of benefit from that industry for the state of Louisiana and its citizens.

B. The task force shall be composed as follows:

(1) The governor's executive assistant for coastal activities or his designee.

(2) Two members appointed by the secretary of the Department of Wildlife and Fisheries.

(3) One member appointed by the secretary of the Department of Natural Resources.

(4) One member appointed by the secretary of the Department of Health and Hospitals.

(5) Four members appointed by the Louisiana Oyster Dealers and Growers Association. One member appointed under the provisions of this Paragraph shall be from Lafourche Parish and one member shall be from Jefferson Parish.

(6) Two members appointed by the Plaquemines Oyster Association.

(7) One member appointed by the Terrebonne Oyster Association.

(8) One member appointed by the Calcasieu Lake Oyster Task Force.

(9) One member appointed by the Southwest Pass Oyster Leaseholder Association.

(10) Two members appointed by the United Commercial Fisherman's Association.

(11) One member appointed by the Delta Commercial Fisherman's organization.

(12) One member who has voting authority and is an oyster grower appointed by the president of the Louisiana Farm Bureau Federation.

(13) One member appointed by the executive director of the Coastal Protection and Restoration Authority.

(14) One member appointed by the Louisiana Oystermen Association.

C. The members appointed under the provisions of Paragraphs (B)(1) through (4) and (13) of this Section shall be nonvoting members. However, they shall be considered members of the task force for determination of the number of members necessary for a quorum and for establishing the presence of a quorum.

D. The task force shall adopt bylaws under which it shall operate, and seven members of the task force shall constitute a quorum sufficient to conduct meetings and business of the task force. The task force shall elect a chairman from its membership and may seek and receive assistance from universities within the state in the development of methods to increase production and marketability of molluscan shellfish. The members of the task force shall serve without compensation; however, the task force may receive the same reimbursement of travel expenses for attending the meetings as is allowed for other state employees' travel.

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

(1) Monitor the water quality and management requirements of the state's molluscan shellfish propagating areas.

(2) Coordinate efforts to increase oyster production and salability.

(3) Study the decline in molluscan shellfish salability, the degradation of water quality which could adversely affect consumer health, and the reasons for such declines and degradations, and make recommendations to resolve such problems.

(4) Make recommendations with respect to issues pertaining to the oyster industry and oyster production to the various state agencies charged with responsibility for differing elements of the oyster industry in this state, including the Department of Wildlife and Fisheries, the Department of Natural Resources, and the Coastal Protection and Restoration Authority Board, the Coastal Protection and Restoration Authority, the Department of Health and Hospitals, the governor's executive assistant for coastal activities, and the legislature.

F. The activities of the Oyster Task Force shall be funded through the Oyster Development Account of the Seafood Promotion and Marketing Fund as provided in R.S. 56:10(B)(1)(a).

Acts 1999, No. 439, §2; Acts 2003, No. 278, §1; Acts 2008, No. 103, §1; Acts 2009, No. 523, §4, eff. July 10, 2009; Acts 2010, No. 264, §1; Acts 2012, No. 604, §4, eff. June 7, 2012