The official state painting, 'Louisiana,' hangs in the State Capitol. Efforts by the artists to market reproductions of the painting are being stalled by a glitch in state law.

Law brushes off sale of state painting as FrancoFête poster

By SCOTT DYER
Capital news bureau

A glitch in Louisiana law prohibits state agencies from hawking the state’s official painting, much to the chagrin of the artists who painted it.

Johnny F. Bell of Denham Springs, who created the painting with his father, Johnny O. Bell, said nobody realized the problem until the Louisiana Conservationist ran an article about their work. “Louisiana,” proclaimed the official state painting by a 1995 law.

“They had so much response from it, that they asked us if they could sell posters. So we told them ‘sure.’ I mean, we didn’t know squat from diddle at that time,” the younger Bell said.

A short time later, state attorneys pointed out the law honoring the Bells’ work also prohibited the state from making any commercial use of it, even if the state receives no royalties on the deal.

“It’s not like we’re fixing to make fortune with this thing,” Johnny Bell said.

“But with FrancoFête this year, we wanted to give permission to the Louisiana Office of Tourism to sell the painting on posters and postcards. In other words, they could print them and sell them, and we wouldn’t get anything,” Bell said.

But a recent state attorney general’s opinion said the law must be changed for any state department or agency to sell the painting.

State Rep. Heulette “Clo” Fontenot, who requested the legal opinion, said he’s planning to introduce legislation to do just that.

“If the painting is going to be sold, then shoot, I’d like to see the state make some money from it,” said Fontenot, R-Livingston.

Fontenot said he wants to allow the state to split any profits from the painting with the Bells, and to dedicate a specific use for the state’s share.

“I’ll probably dedicate it to Wildlife and Fisheries or something like that,” Fontenot said.

According to the House speaker’s office, the original painting hangs in the legislators’ lounge of the state House of Representatives on the main floor of the State Capitol.