

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

FIRST DAY'S PROCEEDINGS

**First Veto Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, July 20, 2021

The House of Representatives was called to order at 12:05 P.M., by the Honorable Clay Schexnayder, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Garofalo	McMahan
Adams	Geymann	Miguez
Amedee	Glover	Miller, D.
Bacala	Goudeau	Miller, G.
Bagley	Green	Mincey
Beaullieu	Harris	Moore
Bishop	Hilferty	Muscarello
Bourriaque	Hodges	Newell
Brass	Hollis	Orgeron
Brown	Horton	Owen, C.
Bryant	Hughes	Owen, R.
Butler	Huval	Phelps
Carrier	Illg	Pierre
Carter, R.	Ivey	Pressly
Carter, W.	James	Riser
Cormier	Jefferson	Romero
Coussan	Jenkins	Schamerhorn
Crews	Johnson, M.	Schlegel
Davis	Johnson, T.	Seabaugh
Deshotel	Jones	Selders
DeVillier	Jordan	St. Blanc
DuBuisson	Kerner	Stagni
Duplessis	LaCombe	Stefanski
Echols	Landry	Tarver
Edmonds	Larvadain	Thomas
Edmonston	Lyons	Thompson
Emerson	Mack	Turner
Farnum	Magee	Villio
Firment	Marcelle	Wheat
Fontenot	Marino	Willard
Freeman	McCormick	Wright

Frieman	McFarland	Zeringue
Gadberry	McKnight	
Total - 98		

The Speaker announced that there were 98 members present and a quorum.

Prayer

Prayer was offered by Rep. Bishop.

Pledge of Allegiance

Rep. Magee led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Motion

On motion of Rep. Magee, the Speaker appointed the following special committee to notify the Governor that the House is convened and prepared to transact business: Reps. Gaines, Glover, Jenkins and Phelps.

Motion

On motion of Rep. Magee, the Speaker appointed the following special committee to notify the Senate that the House is convened and prepared to transact business: Reps. Emerson, Muscarello, Charles Owen, St. Blanc and Tarver.

Reports of Special Committees

The special committee appointed to notify the Governor that the House had convened and was prepared to transact business reported that it had performed that duty.

The special committee appointed to notify the Senate that the House had convened and was prepared to transact business reported that it had performed that duty.

The Speaker thanked and discharged the committees.

Committee from the Senate

A special committee from the Senate notified the House that the Senate has convened and is prepared to transact business.

The Speaker thanked and dismissed the committee.

**Petitions, Memorials, and
Communications**

The following petitions, memorials, and communications were received and read:

LOUISIANA HOUSE OF REPRESENTATIVES

June 29, 2021

Speaker Clay Schexnayder
900 N. 3rd Street
Baton Rouge, LA 70804

Dear Speaker Schexnayder:

I am writing to notify you that I will be resigning my position as State Representative for District 102 of the State of Louisiana effective today. It has been my great honor to represent the people and interests of District 102 in the Louisiana House of Representatives, and I look forward to continuing to represent them as Senator for District 7.

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It has also been a great honor to serve with my colleagues in the House and under your leadership. Thank you for all you do for Louisiana.

Sincerely,

GARY M. CARTER, JR.
Louisiana State Representative, District 102

Message from the Governor

The following message from the Governor was received and read:

OFFICE OF THE GOVERNOR
State of Louisiana

July 2, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

Honorable Patrick Page Cortez
President
Louisiana State Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804

RE: 2021 Regular Session

Dear Speaker Schexnayder and President Cortez:

Please let this letter serve as formal notification that I have acted on all bills sent to me from the 2021 Regular Session. In addition to the bills I returned or signed while the Legislature was in session, I have vetoed an additional 27 bills (House Bill 26, House Bill 38, House Bill 103, House Bill 138, House Bill 148, House Bill 149, House Bill 256, House Bill 263, House Bill 289, House Bill 295, House Bill 349, House Bill 365, House Bill 438, House Bill 498, House Bill 562, House Bill 571, House Bill 597, House Bill 698, House Bill 704, Senate Bill 43, Senate Bill 63, Senate Bill 118, Senate Bill 145, Senate Bill 156, Senate Bill 203, Senate Bill 220, and Senate Bill 224). I have signed all other bills sent to me and submitted them to the Secretary of State. I have also signed House Bill 2 which contains 11 line item vetoes.

Sincerely,

JOHN BEL EDWARDS
Governor

OFFICE OF THE GOVERNOR
State of Louisiana

June 29, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 26 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 26 of the 2021 Regular Session.

Senate Concurrent Resolution 4 of the 2018 Second Extraordinary Session of the Louisiana Legislature directed the Louisiana State University Center for Energy Studies and Public Administration Institute to conduct a comprehensive review of Louisiana's severance taxes and to make specific recommendations to the Legislature. The recommendations were included in a report to the Legislature titled "Mineral Revenues in Louisiana" presented in March 2020. The primary recommendations in the report to the Legislature focus on implementing an equivalent volumetric tax rate for oil and natural gas and removing exemptions associated with horizontal drilling, tertiary wells, and deep wells for new activity. While the Legislature has taken steps to address tax reform through the streamlining of the sales tax and remodeling the income and franchise taxes during this session, the broad severance tax recommendations were put on hold.

House Bill 26 seeks to adjust the value at which crude oil produced from certified stripper wells is exempt from severance tax. Under current law, crude oil produced from certified stripper wells is exempt from severance tax in any month when the value of the oil is less than \$20 per barrel. As originally filed, House Bill 26 would have increased the value from \$20 per barrel to \$75 per barrel. The Enrolled House Bill 26 has a value of \$35 per barrel. The report addresses production from stripper wells and acknowledges that "a number of states have severance tax relief for stripper and incapable wells due to the relatively stable costs of producing the oil and gas but with a volatile revenue stream." Our neighboring state of Texas allows for marginal well relief with an exemption level of \$22 per barrel. This rate is more in line with existing law in Louisiana. The appropriate value of any exemption for oil produced from stripper wells or whether such an exemption is allowed should be included in the broader discussion on the comprehensive reform of the overall severance tax. The volumetric rate proposals and appropriate exemptions from the tax are important severance tax matters that impact every Louisiana oil and gas business and should not be addressed in a piecemeal fashion.

For these reasons, House Bill 26 is vetoed and returned to the House of Representatives.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

June 29, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 138 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 138 of the 2021 Regular Session.

The registrar of voters in every parish is already required to do an annual canvas of all registered voters under current law. The

"supplemental annual canvas" provided for in this bill is repetitive and unnecessary. It further provides for a significant unfunded mandate on the Secretary of State.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

June 29, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 148 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 148 of the 2021 Regular Session.

This bill would give a state sales tax exemption to the Edward Via College of Osteopathic Medicine in Monroe. While I have strongly supported this school and congratulate the administration for successfully completing its first year of operation, I do not believe that the author of the bill made a sufficient case of why this tax exemption is necessary at this time. I will be more than happy to have discussions with the leadership of the school over the next year to determine whether this issue needs to be revisited in a future session.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

June 29, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 256 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 256 of the 2021 Regular Session.

The bill will limit the ability of certain school boards to enter into exclusive contracts, thus limiting the ability of those Boards to manage their business in the manner they see fit. There is long-standing jurisprudence that a local school board has the right to enter into exclusive contracts with organizations in order to effectively and efficiently accomplish its objectives and purposes. This bill would most certainly violate Article 1, §23 of the Louisiana

Constitution and unconstitutionally impair existing contracts between school boards and other parties. If enacted into law, House Bill 256 could lead to costly and time consuming litigation. This bill does not serve the best interest of the state, school boards, or students.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

June 29, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 289 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 289 of the 2021 Regular Session.

House Bill 289 creates a new state income and franchise tax credit for qualified railroad track repairs, maintenance, reconstruction, or replacement by Class II and Class III railroads, or short line railroads. According to the information provided by the proponents of the bill, the existing backlog for privately-owned short line rail infrastructure funding is estimated to be \$260 million. In contrast, the existing backlog for public transportation infrastructure is \$14.8 billion. With legislators seeking additional general fund revenues to dedicate to transportation infrastructure, the reluctance to move legislation increasing the gas tax, and the looming sunset of the additional 0.45% of state sales tax in June 2025, the creation of a new tax credit to fund privately owned infrastructure only serves to exacerbate the state's transportation funding dilemma.

Further, there is an existing federal tax credit for short line rail infrastructure investments. The Section 45G federal credit, effective since 2005, is currently a 50% credit for the same investment in track repairs, maintenance, reconstruction or replacement by short line railroads addressed in House Bill 289. In 2023, the Section 45G federal credit will decrease to a 40% credit. The provisions of House Bill 289 include no corresponding reduction in the proposed 50% state tax credit to 40% in 2023. A short line railroad would be eligible for a federal tax credit equal to 50% of the investment on repairs made to privately owned railroad track in Louisiana and a separate 50% state tax credit on that same investment. Even with a cap on the amount of tax credits allowed each year, the state can ill afford to spend limited general fund revenue on privately owned infrastructure when the outstanding public infrastructure needs exceed the amount of annual general fund revenue collections.

For these reasons, House Bill 289 is vetoed.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

June 29, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 295 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 295 of the 2021 Regular Session.

This bill, as finally passed, would eliminate the requirement that a certified copy of a death certificate be attached to the affidavit required to administer a small succession outside of probate. It is clear from committee debate in both chambers that the intent of both the author and the committees is that the legislation eliminate the necessity of a certified copy of the death certificate but alternatively require the affidavit to be an authentic act with a copy of the death certificate attached. Instead, the bill requires either an affidavit with a copy of the death certificate or an affidavit that is an authentic act.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

June 29, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 562 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 562 of the 2021 Regular Session.

The Board of Tax Appeals is an independent agency within the Department of State Civil Service created to hear and decide disputes between taxpayers and the state or local collectors. House Bill 562 purports to be an omnibus bill addressing multiple administrative facets related to the Board of Tax Appeals. There are a few provisions of the omnibus bill that give cause for concern.

First, there is the 140% increase in the amount of the interagency transfer to the Board of Tax Appeals, Local Tax Division from the current collections of the tax under R.S. 47:302(K). House Bill 562 increases the interagency transfer from \$5,000 per fiscal year to \$12,000 per fiscal year. This in addition to the \$244,000 currently included in the annual transfer from the collections under R.S. 47:302(K), the flat 8.45% state and local use tax for purchases from catalogues and online retailers. With the creation of the Louisiana Sales and Use Tax Commission for Remote Sellers, the use tax collections have shifted from R.S. 47:302(K) and will continue to do so. The interagency transfer is now considered an actual expense of

the Remote Sellers Commission so that any shortfall in the R.S. 47:302(K) collections will be covered by local sales and use tax collections of the Commission. Whether there is in fact a need for this level of increase in the amount of funding to the Board of Tax Appeals should be a part of the discussion during the development of the Executive Budget. The Division of Administration had no knowledge of this proposed 140% increase in funding for the Board of Tax Appeals, Local Tax Division.

The next area of concern with the provisions of House Bill 562 is the mandatory payment provisions related to the interagency transfers. The payments due to the Board of Tax Appeals from current collections of local sales and use tax or state sales and use tax of the Remote Sellers Commission "shall be made within the first thirty days of the fiscal year". The nature of sales tax collection is monthly receipt while funding essential public services over the course of the fiscal year recognizing the limitations of monthly collections. This mandatory provision to remit the full amount of funding for the fiscal year within the first thirty days is an affront to the realities that every other agency and political subdivision face. Further, the payments are to offset what would be the filing fees paid to the Board of Tax Appeals by state and local governments over the course of the year. In essence, there is an upfront payment requirement before the year begins and no refund mechanism if the cost of services provided during the year is less than remitted.

Finally, the language in House Bill 562 appears to be an attempt at mandating the items to be included in the annual executive budget submission to the legislature. The Board of Tax Appeals is given authorization to fix the salaries of employees by administrative rule and if the rule requires the equivalent of a classified market rate adjustment, the salaries shall be included in any budget requests or recommendations. There is almost identical language in the bill related to any item funded pursuant to a written agreement and the requirement for inclusion in "any budget request or recommendation to the full extent of the funding". The determination of the expenditures to recommend for appropriation in the budget submission is a power delegated to the Governor in the Constitution. While the Board of Tax Appeals is constitutionally vested with jurisdiction over matters related to state and local taxes and fees, it is still an agency within the Department of Civil Service and a part of the Executive Budget. Statutory provisions of this nature are an infringement on the executive budget process.

For these reasons, House Bill 562 is vetoed and returned to the House of Representatives. I look forward to considering the funding provisions as a part of the budget submission process for the Board of Tax Appeals later this year.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 38 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 38 of the 2021 Regular Session.

The transparency this bill purports to provide would require local school systems to participate in the Louisiana Checkbook system. Exempted, however, are public school governing authorities that have an annual student enrollment of 2500 or less. It is unclear why small systems would be exempt from the fiscal transparency this bill seeks to provide for. Nevertheless, the Louisiana Checkbook system has taken not only years to develop and bring state agencies online, but it has also taken millions and millions of state taxpayer dollars to accomplish. Our local school systems simply do not have the resources or technology to comply with this unfunded mandate.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 103 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 103 of the 2021 Regular Session.

This bill is one of three bills passed by the legislature involving COVID-19 vaccines. I am vetoing this bill for many of the same reasons that I vetoed House Bill 498. These bills contribute to the false narrative that the COVID-19 vaccines are anything other than safe and incredibly effective. House Bill 103 is not necessary and does nothing to protect the health and safety of the public.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 149 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 149 of the 2021 Regular Session.

This bill was the latest attempt by the Legislature to remedy the obvious and adjudged defects in the petition signed by some House of Representatives members last October attempting to terminate the COVID-19 public health emergency. I need not provide here how catastrophic the pandemic may have been in Louisiana had the House members been successful in terminating the emergency protective measures during some of the worst months of the third surge in Louisiana. Thankfully, the petition was not successful. As a result, the mitigation measures worked, and along with the protection provided by the ever-increasing number of vaccinations, Louisiana is now seeing the light at the end of this long, dark tunnel. I vetoed House Bill 4 of the Second Extraordinary Session of 2020 because it violated the Louisiana Constitution and would have crippled the response to the COVID-19 pandemic. I have vetoed House Bill 149 from our recently-ended session because it did not sufficiently improve the vetoed bill from last year.

House Bill 149 did make one significant change from current law which demonstrates a significant constitutional infirmity in the House petition. The bill establishes that both houses of the legislature would be required to act before the petition would be effective. This is a significant change and a clear admission that the October 2020 petition, signed by members of only one chamber, was without effect. However, the current bill still has significant problems. First and foremost, it allows the Legislature to act in secret, outside of public scrutiny and in violation of Article III, Section 15 (A) of the Louisiana Constitution. In addition, the bill waters down the obligation to consult with a public health authority, thus making it more likely that any action by the Legislature would be based on the political winds rather than scientific data expert medical advice.

I proposed amendments which would have remedied the issues with the bill and would have provided for a clear voice for the Legislature in checking a declared public health emergency. Those suggestions were rejected. While it is true this bill would only affect my successor as the effective date is the date of the inauguration of our next governor, I do not feel it is appropriate to tie the hands of the next governor to properly respond to a public health emergency. If the next governor feels otherwise, he or she can sign this bill at that time.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 263 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 263 of the 2021 Regular Session.

This bill, as finally passed, would carve out an exception to the prohibition of a judge, magistrate, district attorney, or assistant district attorney being chosen to serve on a medical review panel for purposes of the review required for a medical malpractice lawsuit.

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This would establish the only carve out within the medical review panel process to date. Because this carve out would only exist until August 1, 2031, it can only be assumed that it is intentional and for a specific individual in the City of Shreveport. Best practices have always ensured the legislature pass laws for the general and not the specific.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 349 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 349 of the 2021 Regular Session.

This bill is one of three bills passed by the legislature involving COVID-19 vaccines. I am vetoing this bill for many of the same reasons that I vetoed House Bill 498. These bills contribute to the false narrative that the COVID-19 vaccines are anything other than safe and incredibly effective. House Bill 349 is not necessary and does nothing to protect the health and safety of the public.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 365 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 365 of the 2021 Regular Session.

As originally introduced, House Bill 365 sought to require one of the three owner-members of the Louisiana State Racing Commission to be from the Louisiana quarter horse industry. The bill in its final form, however, additionally requires a percentage of the net commission on wagers on historical horse races made at offtrack wagering facilities to be distributed to supplement live horse racing

purses. The bill allocates the money proportionately based on the number of race days each association conducted in the preceding year, creating an inequitable distribution.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 438 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 438 of the 2021 Regular Session.

This bill purports to be a common sense policy - to ensure that people who request public records are who they say they are. However, in practice, it will result in something entirely different. This bill, if enacted into law, would very likely be used, at best, to delay responses to public records requests or, at worst, intimidate members of the public into withdrawing their requests. There is simply no good reason for this bill.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 498 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 498 of the 2021 Regular Session.

This bill is an attempt to respond to concerns by some legislators and members of the public around the COVID-19 vaccines. While questions about the safety and efficacy of any vaccines are understandable, a few bills passed the legislature which undermine the faith of the public in the COVID-19 vaccines. House Bill 498 is one of them. This is unfortunate and dangerous. No public official should contribute to the false narrative that the COVID-19 vaccines are anything other than safe and incredibly effective. This is

especially true as the B.1.617.2 "Delta" variant of COVID-19, which is perhaps more transmissible and deadly than prior variants, threatens to become the predominant strain in the United States.

Current state law already provides for vaccine requirements for elementary and secondary schools, colleges, universities, proprietary schools, vocational schools, and licensed day care centers that are based on expert medical advice and schedules put together by the Louisiana Department of Health. See La. R.S. 17:170 et seq. Current law also provides for exceptions to those requirements for medical or other personal reasons. This reasonable approach to vaccine requirements has been in current law without significant controversy for decades. The same exceptions in current law should apply to any possible COVID-19 vaccine requirements.

Lastly, the bill attempts to create a back door through which vaccine requirements could be put in place "if the application for use of such a vaccine has been approved by the secretary of the United States Food and Drug Administration." This appears to be a way of allowing vaccine requirements if the vaccine has obtained full approval of the FDA and is no longer under an Emergency Use Authorization. However, there are significant problems with the language. First, it is not "the secretary" who grants approval. In fact, the FDA does not even have a secretary, it has a Commissioner. It is unclear whether the inclusion of this language was intentional or accidental. Further, when a vaccine is given approval, it is done so by the FDA, not by the Commissioner's (or secretary's) personal approval. Secondly, the language also describes "a vaccine" being given full approval, as if only a singular vaccine is subject to these requirements. That is not the case. The bill thus presents several unanswered questions about what happens if one vaccine receives full authorization while others have yet to receive it. This does not appear to be contemplated by the bill even though it is almost certain to occur. This bill is unworkable and would lead to further mistrust of the safety of the COVID-19 vaccines. It should not become law.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 571 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 571 of the 2021 Regular Session.

House Bill 571 both expands physical locations where alcohol may be delivered by a third party delivery company and limits which package house Class B permit holders are eligible to use a third party delivery company for delivery.

Currently, there are restrictions on where alcohol may be delivered, both by W-2 employees of an alcohol retailer and by third party alcohol delivery companies. In crafting the original legislation for alcohol delivery, great care was taken to ensure that alcohol could

not be delivered to college campuses. Despite the fact that the stated goal of the author of House Bill 571 was to make sure alcohol is not being delivered to college kids on campus, the language of this bill as finally passed would limit where on campus alcohol delivery is restricted to only those buildings *owned or operated* by the higher education institution, opening up the possibility of delivery to fraternity and sorority houses on campus thereby increasing accessibility to underage students. No delivery to college campuses should be permissible and this would be consistent with existing statutory framework for alcohol delivery.

If enacted, House Bill 571 would eliminate the ability of every package house Class-B permit holder to use a third-party delivery company or a third-party platform to facilitate the sale and delivery of alcohol, *except* grocery stores. Under current law, all package house Class-B permit holders have the ability to use a third-party delivery company or a third-party platform to facilitate the sale and delivery of alcohol. Businesses like grocery stores, stand-alone liquor stores, and convenience stores hold package house Class-B permits and are authorized now to utilize either a third-party delivery company or a third-party platform to facilitate alcohol delivery. This legislation, if signed into law, may unconstitutionally impair contracts already entered into by package house Class-B permit holders, *other than grocery stores*, with third-party delivery companies and third-party platforms for alcohol delivery.

For these reasons, this bill will not become law.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 597 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 597 of the 2021 Regular Session.

This bill purports to prevent the State of Louisiana and local governments from contracting with entities that "discriminate" against gun companies or gun trade associations. What this bill would actually do is prevent the State and local governments from complying with long-standing procurement laws which require that public contracts be awarded to the lowest qualified bidder. This issue is most likely to come up in the area of government borrowing from national banks. Thus, if this bill were to be signed into law, the State and local governments would be forced to accept financing at a higher interest rate than would otherwise be available in the market. Further, on competitive bond sales, banks will likely no longer offer their lowest interest rates because they will not have to compete with the banks that would be precluded under this legislation. In short, this bill will come at a significant cost to Louisiana taxpayers and will have no effect on changing the policies of any financial institution.

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This bill was amended in the Senate with a change which would have added language to the bill providing for it to be inapplicable if the governmental entity determined that the requirement was "inconsistent with the entity's constitutional, statutory, or fiduciary duties." Despite the fact that this amendment was adopted without opposition, it was stripped off in conference committee. If the bill had been sent to my desk with that amendment, it may have been acceptable as it would have allowed for governments to avoid any significant financial consequences resulting from this legislation. However, this common sense amendment was removed, and thus I have vetoed the bill.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 698 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 698 of the 2021 Regular Session.

House Bill 698 seeks to statutorily encumber an existing practice undertaken by the Executive Branch in an effort to determine whether a non-domiciliary parent taxpayer has claimed a child for tax purposes but did not claim the child for Medicaid eligibility purposes. As explained in committee testimony by the Department of Revenue, this legislative mandate risks non-compliance with the Internal Revenue Code (and millions of dollars of annual tax collections) and the confidentiality guaranty that is afforded to all taxpayers. While there exist several exceptions to this confidentiality provision, this approach and unfunded mandate duplicates existing processes with little return on investment. Specifically, any statistics relative to a domiciliary parent claiming a dependent for tax purposes will inherently conflict with rules pertaining to the household size for Medicaid eligibility rules, thus presenting an apples versus oranges approach that will undoubtedly be misconstrued and misinterpreted.

Nonetheless, I have directed the Departments of Health, Revenue, and Children and Family Services to continue their collaboration to ensure the utmost integrity within the Medicaid system. Existing data sharing agreements are already under review and will be further expanded, within the parameters of federal and state law, to provide additional tools to LDH so that taxpayer dollars are expended appropriately in the course of Louisiana's Medicaid Program.

For these reasons, House Bill 698 is vetoed and returned to the House of Representatives.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 1, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 704 of the 2021 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 704 of the 2021 Regular Session.

This bill attempts to address election integrity by providing for a political party "watcher" in every precinct on election day and political party "super watchers" in every parish. The watchers and super watchers would be designated by the state central committee of a recognized political party having at least 25% of the registered voters in the state. However, there are five recognized political parties in Louisiana presently. If this bill were signed into law, it would be impossible for every recognized political party to have a watcher in every precinct or super watchers in every parish. Current law authorizes each candidate to have one watcher at every precinct on election day where the office he seeks is voted and additionally authorizes the candidate to designate a super watcher to have access to every precinct in a designated parish where the office the candidate seeks is on the ballot. There is no good reason to further politicize the operation of elections by inserting the state central committee of certain parties into the poll watching process.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR
State of Louisiana

July 2, 2021

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

Honorable Patrick Page Cortez
President
Louisiana State Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804

RE: Line Item Vetoes in House Bill 2 of the 2021 Regular Session

Dear Speaker Schexnayder and President Cortez:

Please allow this letter to inform you that I have signed House Bill 2 of the 2021 Regular Session. However, I have exercised my line item veto authority to veto 11 items.

I have exercised my line item veto authority as follows:

- Veto No. 1: Delete Lines 20-23 on Page 28 of 127: Authorizes \$1,250,000 for Energy Management System Replacement, Planning and Construction (Acadia)
- Veto No. 2: Delete Lines 32-36 on Page 43 of 127: Authorizes \$150,000 for South Bossier Park - Construction of New Pavilions, Planning and Construction (Bossier)
- Veto No. 3: Delete Lines 18-22 on Page 45 of 127: Authorizes \$450,000 for Labit Road Improvements, Planning and Construction (Iberia)
- Veto No. 4: Delete Lines 34-41 on Page 45 of 127: Authorizes \$1,732,400 for Riding Arena and Livestock Pavilion, Planning and Construction (Jackson)
- Veto No. 5: Delete Lines 19-20 on Page 48 of 127: Authorizes \$2,000,000 in State General Fund (Direct) Non-Recurring Revenues for Woodlake Estates Drainage Improvements, Planning and Construction (Jefferson)
- Veto No. 6: Delete Lines 8-14 on Page 52 of 127: Authorizes \$300,000 for Gunter Road Improvements, Planning and Construction (Rapides)
- Veto No. 7: Delete Lines 22-28 on Page 55 of 127: Authorizes \$22,300,000 for Highway 11 - Opportunity Zone Sewer & Water Project, Planning and Construction (St. Tammany)
- Veto No. 8: Delete Line 28 on Page 60 of 127: Authorizes \$100,000 Payable from State General Fund (Direct) for Curtis Park Sewer Rehabilitation, Planning and Construction (Ball)
- Veto No. 9: Delete Lines 34-39 on Page 66 of 127: Authorizes \$350,000 for Erath Water System Rehabilitation, Planning and Construction (Erath)
- Veto No. 10: Delete Lines 1-6 on Page 83 of 127: Authorizes \$705,000 for Town Hall and Civic Center, Planning and Construction (Ringgold)
- Veto No. 11: Delete Lines 16-24 on Page 98 of 127: Authorizes \$11,950,000 for Addition of Medical/Surgical and Psychiatric Inpatient Rooms at 600 North Lewis Street in New Iberia, Planning, Construction and Equipment (Hospital Service District No. 1 Iberia Parish)

Enclosed is a copy of the signed version of House Bill 2. I have sent the original to the Secretary of State.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

Message from the Senate

RELATIVE TO A GUBERNATORIAL VETO

July 20, 2021

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has passed Senate Bill No. 156 subsequent to the Gubernatorial Veto.

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

OFFICE OF THE GOVERNOR State of Louisiana

June 29, 2021

Honorable Page Cortez
Louisiana Senate President
Louisiana State Senate
Post Office Box 94183
Baton Rouge, LA 70804

RE: Veto of Senate Bill 156 of the 2021 Regular Session

Dear President Cortez:

Please be advised that I have vetoed Senate Bill 156 of the 2021 Regular Session.

I have vetoed this bill for three important reasons, any of which should be sufficient to prevent this bill from becoming the law of Louisiana. However, the first reason prevails over the others. This bill will not be signed into law because it is targeted, unfairly, at children. This legislation will make life more difficult for children who are going through unique challenges gaining acceptance into their schools, communities, and sometimes even their own families. It should be our role, as leaders in this state, to reach out to and lift up these children, rather than to ostracize them. Moreover, the effect of this bill is not so much about how it would affect athletic events, because it will not (as discussed below). Instead, the real harm of this bill is that it would set as the policy of the State of Louisiana that there is something wrong with these children and that they should be treated differently from whom they really are. All of us are sons and daughters of this great state, and we should do and be better than that.

Secondly, this bill is not a real solution nor is there a real problem. When presented to the legislative committees, there was universal agreement that this issue is not, nor has it ever been, experienced in Louisiana. Indeed, the author of the bill repeatedly admitted as much. Instead, this was a bill that came forth from other states that were attempting to pass, sometimes successfully, similar legislation. In committee testimony, it was made clear that the Louisiana High School Athletics Association (LHSAA) already has policies in place that prevent any unfair advantages in athletic competition.

Lastly, it is clear that if this bill were to become law, it would have a major effect on the economy of Louisiana. Many national conventions and conferences have made it clear that they may not select Louisiana as a destination if this bill were to be signed. Further, the National Collegiate Athletic Association (NCAA) has suggested that championship events which are scheduled to take place in Louisiana (first up, the 2022 Men's Final Four) could be at risk if this bill becomes law. As Louisiana emerges from the COVID-19 pandemic, which has had such a negative effect on the tourism industry, we must be mindful of the crushing blow this legislation could pose to our economy.

I have said many times, and believe in my heart, that discrimination is not a Louisiana value. That remains true and is the basis for my decision to veto this bill. However, I also believe that there are many people who may have supported this bill who are good and decent Louisianans trying to do their best to address a

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complicated issue. Nevertheless, this bill is not the right approach nor is it the right thing to do.

Sincerely,

JOHN BEL EDWARDS
Governor

Lies over under the rules.

Message from the Senate

RELATIVE TO A GUBERNATORIAL VETO

July 20, 2021

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the motion to override the governor's veto on Senate Bill No. 118 has failed to pass.

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

Message from the Senate

RELATIVE TO A GUBERNATORIAL VETO

July 20, 2021

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the motion to override the governor's veto on Senate Bill No. 203 has failed to pass.

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

Message from the Senate

RELATIVE TO A GUBERNATORIAL VETO

July 20, 2021

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the motion to override the governor's veto on Senate Bill No. 220 has failed to pass.

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

Message from the Senate

RELATIVE TO A GUBERNATORIAL VETO

July 20, 2021

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the motion to override the governor's veto on Senate Bill No. 224 has failed to pass.

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

Leave of Absence

Rep. Carpenter - 1 day

Rep. Freiberg - 1 day

Rep. White - 5 days

Adjournment

On motion of Rep. Thompson, at 2:27 P.M., the House agreed to adjourn until Wednesday, July 21, 2021, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Wednesday, July 21, 2021.

MICHELLE D. FONTENOT
Clerk of the House