

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

SECOND 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

Wednesday, July 21, 2021

The House of Representatives was called to order at 1:22 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	Gaines	Miguez
Adams	Garofalo	Miller, D.
Amedee	Geymann	Miller, G.
Bacala	Glover	Mincey
Bagley	Goudeau	Moore
Beaullieu	Green	Muscarello
Bishop	Harris	Nelson
Bourriaque	Hilferty	Newell
Brass	Hodges	Orgeron
Brown	Hollis	Owen, C.
Bryant	Horton	Owen, R.
Butler	Hughes	Phelps
Carrier	Huval	Pierre
Carter, R.	Illg	Pressly
Cormier	Ivey	Riser
Coussan	James	Romero
Cox	Jefferson	Schamerhorn
Crews	Jenkins	Schlegel
Davis	Johnson, M.	Seabaugh
Deshotel	Johnson, T.	Selders
DeVillier	Jones	St. Blanc
DuBuisson	Jordan	Stagni
Duplessis	Kerner	Stefanski
Echols	LaCombe	Tarver
Edmonds	Landry	Thomas
Edmonston	Larvadaïn	Thompson
Emerson	Lyons	Turner
Farnum	Mack	Villio
Firment	Magee	Wheat
Fontenot	Marcelle	Willard
Freeman	McCormick	Wright

Freiberg	McFarland	Zeringue
Frieman	McKnight	
Gadberry	McMahen	
Total - 100		

The Speaker announced that there were 100 members present and a quorum.

Prayer

Prayer was offered by Rep. Huval.

Pledge of Allegiance

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

Reading of the Journal

On motion of Rep. Selders, the reading of the Journal was dispensed with.

On motion of Rep. Selders, the Journal of July 20, 2021, was adopted.

Reconsideration of Vetoed Bills

The following vetoed bills were taken up, reconsidered, and acted upon as follows:

HOUSE BILL NO. 2—

BY REPRESENTATIVE BISHOP

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bishop, the bill was returned to the calendar.

HOUSE BILL NO. 26—

BY REPRESENTATIVE MCCORMICK

AN ACT

To amend and reenact R.S. 47:633(7)(c)(i)(bb), relative to severance tax exemptions; to provide for the value used to determine the applicability of an exemption for certified stripper well production; to provide for certain requirements and limitations; and to provide for related matters.

Read by title.

Motion

On motion of Rep. McCormick, the bill was returned to the calendar.

HOUSE BILL NO. 38—

BY REPRESENTATIVES EDMONDS, AMEDEE, BACALA, CREWS,
ECHOLS, EDMONSTON, FIRMENT, FRIEMAN, GAROFALO, IVEY,
MCFARLAND, MIGUEZ, AND CHARLES OWEN

AN ACT

To amend and reenact R.S. 39:16.1(2) and (4), 16.2, 16.3(A)(1) and (3)(introductory paragraph) and (D), 16.4(A), (B)(1) and (2), and (C)(2)(f), 16.5(A)(2), 16.6(A)(2) and (C)(7), 16.7(A)(2), (B), and (C)(10), 16.9(A), (B)(introductory paragraph), and (C)(introductory paragraph), (1), (3), (4), and (5), 16.13(A), (B), (D), and (E), and 16.14 and to enact R.S. 17:3996(B)(59) and R.S. 39:16.10(D) and 16.15, relative to reporting of public fiscal information; to provide relative to the Louisiana Fiscal Transparency Website; to require certain public school

governing authorities to comply with the reporting and disclosure requirements for the website; to provide relative to the duties and authority of the commissioner of administration relative to such requirements; to provide relative to the duties and authority of the legislative auditor relative to such requirements; to provide for compliance and investigative audits; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Edmonds, the bill was returned to the calendar.

HOUSE BILL NO. 103—

BY REPRESENTATIVES MCCORMICK, AMEDEE, AND HODGES
AN ACT

To enact R.S. 9:2800.28, relative to civil liability; to provide for refusal to mandate COVID-19 vaccination; to provide relative to business and professional licenses; and to provide for related matters.

Read by title.

Motion

On motion of Rep. McCormick, the bill was returned to the calendar.

HOUSE BILL NO. 138—

BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 18:196(A)(1) and (D) and to enact R.S. 18:192.1, relative to the annual canvass of persons registered to vote; to provide for a supplemental annual canvass of persons registered to vote; to provide relative to an inactive list of voters; to provide for updating voter registration information; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Farnum, the bill was returned to the calendar.

HOUSE BILL NO. 148—

BY REPRESENTATIVE ECHOLS
AN ACT

To amend and reenact R.S. 47:301(8)(b), relative to state sales and use tax; to provide for an exclusion for institutions of higher education accredited by the American Osteopathic Association Commission on Osteopathic College Accreditation from sales and use taxation on certain transactions; to provide for certain limitations; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Echols, the bill was returned to the calendar.

HOUSE BILL NO. 149—

BY REPRESENTATIVES FRIEMAN, AMEDEE, CREWS, DEVILLIER, EDMONDS, EDMONSTON, EMERSON, FARNUM, FIRMENT, GAROFALO, HODGES, HOLLIS, HORTON, IVEY, MCCORMICK, ORGERON, CHARLES OWEN, ROBERT OWEN, AND SCHAMERHORN
AN ACT

To amend and reenact R.S. 29:724(B)(2) and 768(B), relative to emergency declarations; to provide for legislative termination of

all or part of an emergency declaration; to provide procedures for terminations; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Frieman, the bill was returned to the calendar.

HOUSE BILL NO. 256—

BY REPRESENTATIVE TARVER
AN ACT

To enact R.S. 17:438(E) and to repeal R.S. 17:438(D), relative to permitted withholdings from a school employee's paycheck; to authorize employees of certain school boards to have dues for an organization withheld from their paychecks; to require school employees to annually authorize any deductions made from their earnings; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Tarver, the bill was returned to the calendar.

HOUSE BILL NO. 263—

BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact R.S. 13:1875(7), R.S. 40:1231.8(C)(1)(a), and 1237.2(C)(1)(a), relative to judges of the City Court of Shreveport; to authorize judges of the City Court of Shreveport to serve on a medical review panel; to provide for a termination date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Seabaugh, the bill was returned to the calendar.

HOUSE BILL NO. 289—

BY REPRESENTATIVES MCFARLAND AND BISHOP AND SENATORS BERNARD, FOIL, LUNEAU, ROBERT MILLS, AND MORRIS
AN ACT

To enact R.S. 47:6042, relative to income and corporate franchise tax credits; to provide for an income and corporate franchise tax credit for certain railroads; to provide for definitions; to provide for the maximum amount of credits that can be issued annually; to provide for the maximum amount of credits an individual taxpayer can be issued annually; to provide for taxpayer eligibility; to authorize unclaimed portions of a credit to be carried forward or transferred; to provide for the administration of the tax credit; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

On motion of Rep. McFarland, the bill was returned to the calendar.

HOUSE BILL NO. 295—

BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact Code of Civil Procedure Articles 3431(A) and 3434(C)(1) and to repeal Code of Civil Procedure Article 3421(B), relative to immovable property in successions; to

provide relative to the definition of small succession; to provide relative to the small succession affidavit; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Seabaugh, the bill was returned to the calendar.

HOUSE BILL NO. 349—

BY REPRESENTATIVES EDMONSTON, AMEDEE, BUTLER, CARRIER, CORMIER, CREWS, EDMONDS, EMERSON, FARNUM, FONTENOT, GAROFALO, HODGES, HORTON, IVEY, MACK, MCCORMICK, MIGUEZ, CHARLES OWEN, SEABAUGH, TARVER, AND WRIGHT
AN ACT

To enact R.S. 32:411.2 and R.S. 40:1321(N)(3) and (4), relative to the issuance, renewal, or revocation of a driver's license or special identification card; to prohibit the use of vaccination verification or immunity status for the issuance, renewal, or revocation of a state-issued driver's license or special identification card; to prohibit the inclusion of vaccination verification or immunity status on a state-issued driver's license or special identification card; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Edmonston, the bill was returned to the calendar.

HOUSE BILL NO. 365—

BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 4:144(B)(2)(b) and to enact R.S. 4:217(E), relative to the Louisiana State Racing Commission; to provide for purse supplements; to require that one member of the commission be from the Louisiana quarter horse industry; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Farnum, the bill was returned to the calendar.

HOUSE BILL NO. 438—

BY REPRESENTATIVE MIGUEZ
AN ACT

To enact R.S. 44:31(C), relative to public records; to allow a custodian to require sufficient information to establish a requestor's identity; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Miguez, the bill was returned to the calendar.

HOUSE BILL NO. 498—

BY REPRESENTATIVES EDMONSTON, AMEDEE, BACALA, CREWS, EDMONDS, FIRMENT, GAROFALO, HODGES, HORTON, MCCORMICK, ORGERON, CHARLES OWEN, ROMERO, SCHAMERHORN, AND SEABAUGH
AN ACT

To enact R.S. 49:186, relative to discrimination based on vaccination or immunity status; to prohibit state and local government agencies and officials from discriminating between individuals

based on such status; to provide for enforcement; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Edmonston, the bill was returned to the calendar.

HOUSE BILL NO. 562—

BY REPRESENTATIVE BOURRIQUE
AN ACT

To amend and reenact R.S. 47:302(K)(7)(b), 337.102(B)(3) and (5), (I)(1) and (3), and (K), and 340(A) and (E)(5), 1402(E)(1) and (2), 1404, 1406, 1418(7)(d), and 1483(C), to enact R.S. 47:337.102(C)(10), 338.223, 1408(D)(3), and 1483(A)(2) and (3), and to repeal R.S. 47:340(I), relative to the administration and adjudication of state and local sales and use taxes; to provide relative to tax administration; to provide for the dedication of local funds to the Board of Tax Appeals; to provide for protective orders and confidentiality of taxpayer information; to provide relative to the membership of the Louisiana Uniform Local Sales Tax Board; to provide for the selection of officers of the Louisiana Uniform Local Sales Tax Board; to provide for the funding of the Louisiana Uniform Local Sales Tax Board; to provide for a strategic plan for the Louisiana Uniform Local Sales Tax Board; to provide for dedications related to the Louisiana Sales and Use Tax Commission for Remote Sellers; to provide for agreements relative to funding for the Louisiana Sales and Use Tax Commission for Remote Sellers; to provide for membership and qualifications of the Board of Tax Appeals; to provide for employees of the Board of Tax Appeals; to provide for certain Board of Tax Appeals employee salaries; to provide for expenditures for the Board of Tax Appeals; to provide for definitions; to provide for the collection of occupancy taxes; to provide for the payment of Board of Tax Appeals judgments; to provide for certain requirements and limitations; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bourriaque, the bill was returned to the calendar.

HOUSE BILL NO. 571—

BY REPRESENTATIVE STEFANSKI
AN ACT

To amend and reenact R.S. 26:274(A)(2) and 308(B), (C)(6), (8), and (11)(c), and (J) and to enact R.S. 26:308(C)(12)(b)(i) through (iii), relative to the delivery of alcoholic beverages; to provide relative to third party delivery companies and platforms; to provide for requirements for alcoholic beverage delivery agreements; to provide for penalties; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Stefanski, the bill was returned to the calendar.

HOUSE BILL NO. 597—

BY REPRESENTATIVES MIGUEZ, AMEDEE, BACALA, EDMONDS, EMERSON, GAROFALO, HARRIS, HORTON, MCCORMICK, CHARLES OWEN, AND SCHAMERHORN
AN ACT

To enact R.S. 38:2216.1 and R.S. 39:1602.2, relative to public contracts; to prohibit certain discriminatory practices with

respect to firearm associations, retailers, and manufacturers; to provide for definitions; to provide restrictions on applicability; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Miguez, the bill was returned to the calendar.

HOUSE BILL NO. 698 (Substitute for House Bill No. 186 by Representative Bacala)—
BY REPRESENTATIVE BACALA
AN ACT

To enact R.S. 36:254(D)(2)(e) and (f) and 460 and R.S. 46:236.1.1(17) and 236.9.1, relative to interagency agreements between departments of the executive branch of state government concerning certain public assistance programs; to provide relative to administration by the Louisiana Department of Health of the medical assistance program of this state known as Medicaid; to provide relative to administration by the Department of Children and Family Services of the child support enforcement program of this state; to require the Louisiana Department of Health and the Department of Revenue to enter into agreements to carry out certain Medicaid program integrity functions; to require the Louisiana Department of Health and the Department of Children and Family Services to enter into agreements concerning the use of certain cash medical support payments to offset Medicaid costs; to provide specifications for the content of such interagency agreements; to provide for incentive payments from the Louisiana Department of Health to the Department of Children and Family Services for certain purposes; to provide relative to interagency data sharing; to provide for reporting to the legislature; to provide for construction of certain laws; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bacala, the bill was returned to the calendar.

HOUSE BILL NO. 704 (Substitute for House Bill No. 599 by Representative Hodges)—
BY REPRESENTATIVE HODGES
AN ACT

To amend and reenact R.S. 18:435(A)(4) and (B)(2) and to enact R.S. 18:435(A)(1)(c) and (5) and (B)(1)(c) and 1309(N), relative to elections; to provide for the appointment of poll watchers; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hodges, the bill was returned to the calendar.

Motion

Rep. Schlegel moved to reconsider the veto to Senate Bill No. 156, which motion was agreed to.

SENATE BILL NO. 156—
BY SENATOR MIZELL AND REPRESENTATIVES AMEDEE, BACALA, BAGLEY, BEAULLIEU, BOURRIAQUE, BUTLER, CARRIER, WILFORD CARTER, COUSSAN, CREWS, DESHOTEL, DEVILLIER, EDMONDS, EDMONSTON, EMERSON, FARNUM, FIRMENT, FONTENOT, FRIEMAN, GADBERRY, GAROFALO, GOUDEAU, HARRIS, HODGES, HOLLIS, HORTON, IVEY, MIKE JOHNSON, TRAVIS JOHNSON, MACK, MCCORMICK, MCFARLAND, MCMAHEN, MIGUEZ, MINCEY, ORGERON, CHARLES OWEN, ROBERT OWEN, PRESSLY, RISER,

ROMERO, SCHAMERHORN, SCHLEGEL, SEABAUGH, TARVER, THOMAS, THOMPSON, VILLIO, WHEAT AND WRIGHT
AN ACT

To enact Chapter 7-A of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:441 through 446, relative to athletic activities; to require that schools designate intercollegiate, interscholastic, or intramural athletic teams according to the biological sex of the team members; to provide that teams designated for females are not open to participation by biological males; to provide immunity protections for schools from certain adverse actions; to provide for causes of action; to provide for legislative findings; to provide for definitions; to provide for remedies; and to provide for related matters.

Read by title.

Motion

Rep. Magee moved the previous question be ordered on the entire subject matter.

Rep. LaCombe objected.

By a vote of 67 yeas and 29 nays, the House agreed to order the previous question on the entire subject matter.

Rep. Schlegel moved the passage of the bill subsequent to the Governor's veto.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frieman	Mincey
Amedee	Gadberry	Muscarello
Bacala	Garofalo	Nelson
Bagley	Geymann	Orgeron
Beaullieu	Goudeau	Owen, C.
Bishop	Harris	Owen, R.
Bourriaque	Hilferty	Pressly
Butler	Hodges	Riser
Carrier	Hollis	Romero
Coussan	Horton	Schamerhorn
Crews	Huval	Schlegel
Davis	Illg	Seabaugh
Deshotel	Ivey	St. Blanc
DeVillier	Johnson, M.	Stefanski
DuBuisson	Kerner	Tarver
Echols	Mack	Thomas
Edmonds	Magee	Thompson
Edmonston	McCormick	Turner
Emerson	McFarland	Villio
Farnum	McKnight	Wheat
Firment	McMahan	Wright
Fontenot	Miguez	Zeringue
Freiberg	Miller, G.	
Total - 68		

NAYS

Adams	Hughes	Lyons
Brass	James	Marcelle
Brown	Jefferson	Miller, D.
Bryant	Jenkins	Moore
Carter, R.	Johnson, T.	Newell
Cornier	Jones	Phelps
Duplessis	Jordan	Pierre
Freeman	LaCombe	Selders

Gaines
Green
Total - 30

Landry
Larvadain

ABSENT

Stagni
Willard

Carpenter
Carter, W.
Total - 6

Cox
Glover
Marino
White

The House refused to pass the bill subsequent to the Governor's veto.

The veto was sustained.

Recess

On motion of Rep. Magee, the Speaker declared the House at recess.

After Recess

Speaker Schexnayder called the House to order at 4:19 P.M.

House Business Resumed

Suspension of the Rules

On motion of Rep. Magee, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

Petitions, Memorials, and Communications

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

Message from the Senate

RELATIVE TO ADJOURNMENT

July 21, 2021

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

I am directed to inform your honorable body that the Senate has consented to adjourn *sine die* prior to the end of the 5th day and asks the House to do the same.

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

Motion

Rep. Thompson moved to adjourn *sine die* prior to the end of the fifth day.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Adams

Goudeau
Green

Mincey
Moore

Bacala
Bagley
Beaullieu
Bishop
Bourriaque
Brown
Bryant
Butler
Carter, R.
Cormier
Coussan
Crews
Davis
Deshotel
DeVillier
DuBuisson
Duplessis
Echols
Edmonds
Farnum
Firmont
Freeman
Freiberg
Frieman
Gadberry
Gaines
Geymann
Total - 85

Harris
Hilferty
Hodges
Hollis
Horton
Hughes
Huval
Illg
Ivey
James
Jefferson
Jenkins
Johnson, M.
Johnson, T.
Jones
Kerner
LaCombe
Landry
Larvadain
Lyons
Magee
Marcelle
McFarland
McKnight
McMahen
Miller, D.
Miller, G.

Muscarello
Nelson
Newell
Orgeron
Owen, R.
Phelps
Pierre
Pressly
Riser
Romero
Schamerhorn
Schlegel
Selders
St. Blanc
Stagni
Stefanski
Tarver
Thomas
Thompson
Turner
Villio
Wheat
Willard
Wright
Zeringue

NAYS

Amedee
Edmonston
Emerson
Total - 8

Garofalo
Mack
McCormick

Miguez
Owen, C.

ABSENT

Brass
Carpenter
Carrier
Carter, W.
Total - 11

Cox
Fontenot
Glover
Jordan

Marino
Seabaugh
White

The motion was adopted.

Motion

On motion of Rep. Magee, the Speaker appointed the following special committee to notify the Governor that the House has completed its labors and is prepared to adjourn *sine die*: Reps. Duplessis, Green, Hughes, James and Jenkins.

Motion

On motion of Rep. Magee, the Speaker appointed the following special committee to notify the Senate that the House has completed its labors and is prepared to adjourn *sine die*: Reps. Adams, Brown, Pierre, Schlegel and Stagni.

Reports of Special Committees

The special committee appointed to notify the Governor that the House had completed its labors and was prepared to adjourn *sine die* reported that it had performed that duty.

The special committee appointed to notify the Senate that the House had completed its labors and was prepared to adjourn *sine die* 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 completed its labors and is prepared to adjourn *sine die*.

The Speaker thanked and dismissed the committee.

Leave of Absence

Rep. Carpenter - 1 day

Rep. Marino - 4 days

Adjournment

On motion of Rep. Thompson, at 4:34 P.M., the House agreed to adjourn *sine die*.

The Speaker of the House declared the House adjourned *sine die*.

MICHELLE D. FONTENOT
Clerk of the House