

July 1, 2021

VIA HAND DELIVERY

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.

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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

cc: Honorable Patrick Page Cortez
Louisiana Senate President