

HOUSE COMMITTEE AMENDMENTS

2016 Regular Session

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 230 by Senator Peterson

1 AMENDMENT NO. 1

2 On page 1, line 3, after "3055" and before the comma "," delete "and" and at the end of the
3 line change "3055(10)," to "3055(5), (7), and (10),"

4 AMENDMENT NO. 2

5 On page 1, delete line 4 in its entirety and insert in lieu thereof the following:

6 "3056(A)(1), (B), and (H), and 3058 and R.S. 36:4.1(D), to enact R.S. 17:3053.1, and
7 to repeal R.S. 17:3052(2) and (4) and"

8 AMENDMENT NO. 3

9 On page 1, line 12, after "3055" delete the remainder of the line and insert in lieu thereof a
10 comma "," and "3055(5), (7), and (10), 3056(A)(1), (B),"

11 AMENDMENT NO. 4

12 On page 1, line 13, after "reenacted" and before "to read" insert "and R.S. 17:3053.1 is
13 hereby enacted"

14 AMENDMENT NO. 5

15 On page 5, between lines 9 and 10, insert the following:

16 **"§3053.1. Laws applicable to the Health Education Authority of Louisiana;**
17 **audit of records by legislative auditor**

18 **A. The board and the authority shall be subject to the Public Records**
19 **Law, R.S. 44:1 et seq.; the Open Meetings Law, R.S. 42:11 et seq.; and the Code**
20 **of Governmental Ethics, R.S. 42:1101 et seq.**

21 **B. The board, in its capacity as the governing body of the authority,**
22 **shall ensure that the books and records of the authority are audited by the**
23 **legislative auditor in accordance with the provisions of R.S. 24:513."**

24 AMENDMENT NO. 6

25 On page 5, between lines 20 and 21, insert the following:

26 "(5) To solicit, accept, and collect funds, federal, state, or local grants,
27 donations, and contributions in cash or in property and to take by will or bequest,
28 donation, devise, or other legal means, in trust or absolutely, real or personal
29 property, whether tangible or intangible, subject to the terms, conditions, or
30 limitations contained in the instrument by which such property is acquired. The
31 authority is hereby specifically empowered to serve as the beneficiary of a public
32 trust heretofore or hereafter created pursuant to **the provisions of** R.S. 9:2341 **to**
33 **through** 2347 ~~as now or hereafter amended~~. The authority may also accept and
34 expend any sum appropriated by the federal government, the state of Louisiana, or
35 any political subdivision or agency thereof for the purpose of administering ~~this Act~~

1 **the provisions of this Chapter** or for the carrying out of any purposes or functions
2 of the authority authorized ~~thereby~~ **in this Chapter.**"

3 * * *

4 (7) To own, hold, sell, mortgage, convey, lease, rent, alienate, and otherwise
5 manage, contract with reference to, or dispose of, all or any part of its property, real
6 or personal, or services, on any terms and conditions as may be lawful and consistent
7 with the provisions and objectives of this ~~Act~~ **Chapter**, and likewise to invest all
8 proceeds and income of such property in any type or kind of property, real or
9 personal, tangible or intangible, as appears advisable to the board; provided that the
10 authority shall not lease any facility acquired for demolition, including individual
11 rooms or apartments or housing accommodations acquired for such purpose, for
12 longer than a period of one year at a time.

13 * * *"

14 AMENDMENT NO. 7

15 On page 7, between lines 25 and 26, insert the following:

16 "B. The authority may, in any resolution authorizing the issuance of ~~such~~
17 bonds, enter into such covenants with the future holder or holders of the bonds as to
18 the management and operation of facilities, the lease or rental thereof, the imposition
19 and collection of fees and charges for services and facilities furnished by the
20 authority, the disposition of such fees and revenues, the issuance of future bonds and
21 the creation of future liens and encumbrances against such facilities and the revenues
22 therefrom, the carrying of insurance on the facilities, the keeping of books and
23 records, and other pertinent matters, as may be deemed proper by the authority to
24 assure the marketability of the bonds, provided such covenants are not inconsistent
25 with the provisions of this Chapter. Any holder of the bonds or of any of the
26 coupons thereto attached may by appropriate legal action compel performance of all
27 duties required of the authority and officials thereof by the resolution authorizing the
28 issuance of bonds not inconsistent with the provisions of this Chapter. If any bond
29 issued hereunder is permitted to go into default as to principal or interest, any court
30 of competent jurisdiction may, pursuant to the application of the holder of the bond,
31 appoint a receiver for the facilities of the authority, which receiver shall ~~be under~~
32 **have** the duty of operating the facilities and collecting and distributing the revenues
33 thereof pledged to the payment of the bonds, pursuant to the provisions and
34 requirements of this ~~Act~~ **Chapter** and the resolution authorizing the bonds. As
35 ~~hereinbefore~~ provided **in this Section**, such bonds may in the discretion of the
36 authority be additionally secured by conventional mortgage on all or any part of the
37 properties or facilities acquired, constructed, extended, or improved with the
38 proceeds thereof, and the authority shall have full discretion to make such provisions
39 as it may see fit for the making and enforcement of such mortgage and the provisions
40 to be therein contained.

41 * * *"

42 AMENDMENT NO. 8

43 On page 9, line 7, after "Section 3." delete the remainder of the line and insert in lieu thereof
44 "R.S. 17:3052(2) and (4) and 3055(9) and R.S. 36:259(B) are hereby repealed in their
45 entirety."