

CONFERENCE COMMITTEE REPORT

HB 426

2018 Regular Session

Huval

May 17, 2018

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 426 by Representative Huval, recommend the following concerning the Engrossed bill:

1. That Senate Committee Amendments Nos. 1 and 2 by the Committee on Natural Resources (#2960) be adopted.
2. That Senate Committee Amendments Nos. 3 through 6 by the Committee on Natural Resources (#2960) be rejected.
3. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 3, after "Parish" and before the semicolon ";" insert "and Orleans Parish"

AMENDMENT NO. 2

On page 3, between lines 9 and 10, insert the following:

"Section 3. The commissioner of the division of administration, notwithstanding any other provision of law to the contrary, is hereby authorized and empowered to convey, transfer, assign, lease, or deliver any interest, excluding mineral rights, the state may have to all or any portion of the following described parcel of state property in St. Martin Parish to Brian Keith Arsement:

That certain tract or parcel of state owned land identified as Campsite Lot 2, Butte LaRose Area, located in the dried lake bed of an unnamed lake in front of Section 11, and a portion of Lot 6, Section 11, Township 9 South, Range 7 East, Louisiana Meridian and more fully shown on the plat dated March 25, 1997 by C. L. Jack Stelly.

Section 4. The commissioner of the division of administration is hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any conveyance, transfer, assignment, lease, or delivery of title, excluding mineral rights, to the property described in Section 3 of this Act, and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of the division of administration and Brian Keith Arsement in exchange of consideration proportionate to the appraised value of the property.

Section 5. The secretary of the Louisiana Department of Health and the commissioner of the division of administration, notwithstanding any other provision of law to the contrary, are hereby authorized and empowered to convey, transfer, assign, or deliver to the New Orleans Home for the Incurables or Ochsner Health System, any interest, excluding mineral rights, the state may have to all or any portion of the John J. Hainkel, Jr. Home and Rehabilitation Center, including the property, buildings, equipment, movable assets, and all other appurtenances of the facility which is described as follows:

That portion of ground, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes,

appurtenances, and advantages thereunto belonging, or in anywise appertaining, situated in the Sixth District of the city of New Orleans, State of Louisiana, Burtheville, being all of Square 22, composed of Lots 1 through 24, bounded by Patton, Constance, Calhoun, and Henry Clay, and said square measures 317 feet 8 inches 5 lines (317 feet 6 inches 7 1/2 lines title) front on Patton, 311 feet 3 inches 0 lines (311 feet 6 1/2 lines title) front on Constance, 289 feet 7 inches 4 lines (289 feet 3 inches 7 lines 7 inches title) front on Henry Clay, containing 91,063.10 square feet; all in accordance with survey of Joseph F. Varisco, Jr., dated November 14, 1975, resurveyed January 23, 1976. And, according to a survey of Joseph F. Varisco, Jr., dated September 14, 1977, revised November 27, 1979, said property has the same actual dimensions, encompasses all of Square 22 and contains improvements known as 612 Henry Clay Avenue.

Section 6. The secretary of the Louisiana Department of Health and the commissioner of the division of administration are hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any conveyance, transfer, assignment, or delivery of title, excluding mineral rights, to the property described in Section 5 of this Act, and as more specifically described in any such agreements entered into and documents executed by and between the secretary of the Louisiana Department of Health and the commissioner of the division of administration and the New Orleans Home for the Incurables or Ochsner Health System in exchange of consideration proportionate to the appraised value of the property.

Section 7. Any authorization granted or appraisal of property referenced by Sections 5 and 6 of this Act shall be subject to the provisions of R.S. 40:16.3."

AMENDMENT NO. 3

On page 3, at the beginning of line 10, change "Section 3." to "Section 8."

Respectfully submitted,

Representative Mike Huval

Senator Norby Chabert

Representative Stuart Bishop

Senator Fred Mills

Representative Bob Hensgens

Senator Troy Carter

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 426

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Huval

Keyword and oneliner of the instrument as it left the House

PROPERTY/PUBLIC: Authorizes the transfer of state property in St. Martin Parish

Report adopts Senate amendments to:

1. Make technical changes.

Report rejects Senate amendments which would have:

1. Added authority for the commissioner of administration to transfer or lease an additional property in St. Martin Parish to Ciriaque Degeyter.

Report amends the bill to:

1. Add authority for the commissioner of administration to transfer or lease an additional property in St. Martin Parish to Brian Keith Arsement.
2. Add authority for the secretary of the Department of Health and the commissioner of administration to transfer the John J. Hankiel, Jr. Home and Rehabilitation Center to the New Orleans Home for the Incurables or Ochsner Health System.

Digest of the bill as proposed by the Conference Committee

Authorizes the transfer or lease of certain state properties in St. Martin Parish from the division of administration to Ciriaque Degeyter and Brian Keith Arsement. Provides for the reservation of mineral rights to the state.

Authorizes for the secretary of the Department of Health and the commissioner of administration to transfer the John J. Hankiel, Jr. Home and Rehabilitation Center to the New Orleans Home for the Incurables or Ochsner Health System subject to present law that authorizes a lease of the property to the New Orleans Home for the Incurables.

Effective upon signature of governor or lapse of time for gubernatorial action.