

2019 Regular Session

SENATE BILL NO. 149

BY SENATOR LUNEAU

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC BUILDINGS/GROUNDS. Authorizes the state of Louisiana to sell or transfer certain state property. (8/1/19)

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AN ACT

To enact R.S. 40:16.4, relative to the transfer or sale of certain state property; to provide for the property descriptions; to provide for reservation of mineral rights; to provide for terms and conditions; to provide for dedication of funds; to provide for the creation of the Louisiana Department of Health's Facility Support Fund Number 2; to provide for the transfer, use, and investment of monies in the fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The commissioner of administration and the secretary of the Louisiana Department of Health, notwithstanding any other provision of law to the contrary, are 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 parcels of property pursuant to R.S. 41:131 et seq.:

- A. That certain tract or parcel of land situated in Rapides Parish, Louisiana, containing 204.80 acres, more or less fronting on Red River a short distance above Pineville, and being the upper half of Section 17. Township Four (4) North Range One (1) West, and being bounded in

1 front by Red River, above by property of O'Shee Bros. formerly of Mrs.
2 Sallie C. Day, below by property belonging to the vendors, and in the
3 rear by property of O'Shee Bros. Being property formerly belonging to
4 Sallie C. Day and property of E. J. Barrett, and being the upper half of
5 that tract of land the lower half of which was purchased by this vendee
6 from Mrs. Marie Daid, as shown by plat attached to deed-duly of record
7 in Conveyance Book "NN" page 235.

8 B. Parcel 1-1, State of Louisiana, Sections 17 & 17, T-4-N, R1W.

9 From a point on the centerline of State Project No. 840-43-0009, at
10 Station 58+77.00, proceed N34°58'11"W a distance of 86.00 feet to the
11 point of beginning; thence proceed N34°58'11"W a distance of 100.00
12 feet to a point and corner; thence proceed N08°30'43"W a distance of
13 93.55 feet to a point and corner; thence proceed N47°57'06"E a distance
14 of 240.52 feet to a point and corner; thence proceed N67°25'02"E a
15 distance of 162.01 feet to a point and corner; thence proceed
16 N37°08'02"E a distance of 1506.70 feet to a point and corner; thence
17 proceed S52°51'58"E a distance of 100.00 feet to a point and corner;
18 thence proceed S37°08'02"W a distance of 1567.51 feet to a point and
19 corner; thence proceed along a curve to the right having a radius of
20 1339.00 feet, whose length is 418.24 feet and whose chord length is 416.54
21 feet and bears S46°04'55"W to the point of beginning. All of which
22 comprises Parcel 1-1 as shown on Sheet 1 Of 2 of the Special Map of
23 State Project No. 840-43-0009, and contains an area of 225936.5 square
24 feet or 5.187 acres.

25 C. Parcel 1-2, State of Louisiana, Section 17, T-4-N, R1W

26 From a point on the centerline of State Project No. 840-43-0009, at
27 Station 70+71.12, proceed S52°51'58"E a distance of 146.34 feet to the
28 point of beginning; thence proceed N31°35'37"E a distance of 221.03 feet
29 to a point and corner; thence proceed S52°51'58"E a distance of 200.93

1 feet to a point and corner; thence proceed along a curve to the right
2 having a radius of 435.00 feet, whose length is 375.25 feet and whose
3 chord length is 363.72 feet and bears S28°08'45"E to a point and corner;
4 thence proceed S03°31'39"E a distance of 163.97 feet to a point and
5 corner; thence proceed S15°51'23"W a distance of 176.98 feet to a point
6 and corner; thence proceed S31°12'07"W a distance of 75.57 feet to a
7 point and corner; thence proceed S17°32'26"W a distance of 206.71 feet
8 to a point and corner; thence proceed along a curve to the left having a
9 radius of 897.69 feet, whose length is 176.48 feet and whose chord length
10 is 176.19 feet and bears N47°29'20"W to a point and corner; thence
11 proceed along a curve to the right having a radius of 390.00 feet, whose
12 length is 129.97 feet and whose chord length is 129.37 feet and bears
13 N06°18'35"E to a point and corner; thence proceed N15°51'23"E a
14 distance of 122.88 feet to a point and corner; thence proceed
15 N02°12'33"W a distance of 145.11 feet to a point and corner; thence
16 proceed along a curve to the left having a radius of 215.00 feet, whose
17 length is 257.88 feet and whose chord length is 242.69 feet and bears
18 N18°30'19"W to a point and corner; thence proceed N52°51'58"W a
19 distance of 179.54 feet to the point of beginning. All of which comprises
20 Parcel 1-2 as shown on Sheet 1 of 2 of the Special Map of State Project
21 No. 840-43-0009, and contains an area of 212950.9 square feet or 4.889
22 acres.

23 D. Parcel 2-1, State of Louisiana, Sections 16 & 17, T-4-N, R1W

24 From a point on the centerline of State Project No. 840-43-0009, at
25 Station 93+50.55, proceed N47°11'34"W a distance of 102.91 feet to the
26 point of beginning; thence proceed N50°33'05"W a distance of 170.40
27 feet to a point and corner; thence proceed N42°34'10"E a distance of
28 701.53 feet to a point and corner; thence proceed along a curve to the
29 right having a radius of 2569.37 feet, whose length is 458.34 feet and

1 whose chord length is 457.73 feet and bears N47°40'45"E to a point and
2 corner; thence proceed N52°47'15"E a distance of 537.61 feet to a point
3 and corner; thence proceed S26°21'37"E a distance of 142.04 feet to a
4 point and corner; thence proceed S46°36'02"W a distance of 615.25 feet
5 to a point and corner; thence proceed S46°33'04"W a distance of 550.06
6 feet to a point and corner; thence proceed along a curve to the left
7 having a radius of 7102.91 feet, whose length is 464.12 feet and whose
8 chord length is 464.04 feet and bears S44°40'45"W to the point of
9 beginning. All of which comprises Parcel 2-1 as shown on Sheet 2 of 2 of
10 the Special Map of State Project No. 840-43-0009, and contains an area
11 of 304688.1 square feet or 6.995 acres.

12 E. Parcel 2-2, State of Louisiana, Section 17, T-4-N, R1W

13 From a point on the centerline of State Project No. 840-43-0009, at
14 Station 98+01.80, proceed S43°29'57"E a distance of 100.00 feet to the
15 point beginning; thence proceed along a curve to the right having a
16 radius of 6900.00 feet, whose length is 4.25 feet and whose chord length
17 is 4.25 feet and bears N46°31'23"E to a point and corner; thence proceed
18 N46°33'04"E a distance of 1120.33 feet to a point and corner; thence
19 proceed along a curve to the left having a radius of 3931.32 feet, whose
20 length is 224.70 feet and whose chord length is 224.67 feet and bears
21 S32°58'33"E to a point and corner; thence proceed S46°21'07"W a
22 distance of 368.16 feet to a point and corner; thence proceed
23 S30°58'23"W a distance of 155.58 feet to a point and corner; thence
24 proceed S71°10'52"W a distance of 110.18 feet to a point and corner;
25 thence proceed S46°21'04"W a distance of 464.80 feet to a point and
26 corner; thence proceed N43°38'53"W a distance of 219.69 feet to the
27 point of beginning. All of which comprises Parcel 2-2 as shown on Sheet
28 2 of 2 of the Special Map of State Project No. 840-43-0009, and contains
29 an area of 248234.3 square feet or 5.699 acres.

1 Section 2. The commissioner of administration and the secretary of the
2 Department of Transportation and Development, notwithstanding any other provision
3 of law to the contrary, are hereby authorized and empowered to convey, transfer,
4 assign, lease, or deliver any interest, excluding mineral rights, the state may have to all
5 or any portion of the following described parcels of property to the town of Boyce:

6 A. One (1) certain tract or parcel of land, and all of the improvements
7 situated wholly or partially thereon, and all of the rights of ways, servitudes,
8 privileges and advantages thereunto belonging or in anywise appertaining,
9 situated in Section 9, Township 5 North, Range 2 West, Southwestern Land
10 District in the parish of Rapides, state of Louisiana, and being more particularly
11 described as follows:

12 From a point on the centerline of State Project No. 455-05-08, at Station
13 206+14.19, proceed S19°08'57"W a distance of 256.79 feet to a point;
14 thence proceed N63°40'07"W a distance of 289.33 feet to the point of
15 beginning; thence proceed S46°31'57"W a distance of 268.41 feet to a
16 point and corner; thence proceed N43°41'26"W a distance of 245.56 feet
17 to a point and corner; thence proceed N42°03'15"W a distance of 274.31
18 feet to a point and corner; thence proceed S76°32'16"E a distance of
19 255.64 feet to a point and corner; thence proceed S63°43'42"E a distance
20 of 119.04 feet to a point and corner; thence proceed S69°20'06"E a
21 distance of 100.21 feet to a point and corner; thence proceed
22 S63°40'07"E a distance of 110.51 feet to the point of beginning. All of
23 which comprises Tract 1 as shown on Plat by the Department of
24 Transportation and Development dated October 15, 2018 and contains
25 an area of 1.809 acres.

26 B. One (1) certain tract or parcel of land, and all of the improvements
27 situated wholly or partially thereon, and all of the rights of ways, servitudes,
28 privileges and advantages thereunto belonging or in anywise appertaining,
29 situated in Section 9, Township 5 North, Range 2 West, Southwestern Land

1 District in the parish of Rapides, state of Louisiana, and being more particularly
2 described as follows:

3 From a point on the centerline of State Project No. 455-05-08, at Station
4 206+14.19, proceed S19°08'57"W a distance of 256.79 feet to the point of
5 beginning; thence proceed S54°03'34"E a distance of 143.10 feet to a
6 point and corner; thence proceed S20°40'02"W a distance of 129.28 feet
7 to a point and corner; thence proceed S26°28'29"W a distance of 156.60
8 feet to a point and corner; thence proceed S19°10'28"W a distance of
9 122.52 feet to a point and corner; thence proceed N50°32'17"W a
10 distance of 29.87 feet to a point and corner; thence proceed
11 N48°33'29"W a distance of 195.27 feet to a point and corner; thence
12 proceed N43°41'26"W a distance of 354.47 feet to a point and corner;
13 thence proceed N46°31'57"E a distance of 268.41 feet to a point and
14 corner; thence proceed S63°40'07"E a distance of 289.33 feet to the point
15 of beginning. All of which comprises Tract 2 as shown on Plat by
16 Department of Transportation and Development dated October 15, 2018
17 and contains an area of 3.939 acres.

18 Section 3. The commissioner of administration and the secretary of the
19 Department of Transportation and Development, notwithstanding any other provision
20 of law to the contrary, are hereby authorized and empowered to convey, transfer,
21 assign, lease, or deliver any interest, excluding mineral rights, the state may have to all
22 or any portion of the following described parcel of property to the Louisiana
23 Department of Health:

24 Parcel 1-2, State of Louisiana, Section 17, T-4-N, R1W

25 From a point on the centerline of State Project No. 840-43-0009, at
26 Station 70+71.12, proceed S52N51'58"E a distance of 146.34 feet to the
27 point of beginning; thence proceed N31N35'37"E a distance of 221.03
28 feet to a point and corner; thence proceed S52N51'58"E a distance of
29 200.93 feet to a point and corner; thence proceed along a curve to the

1 right having a radius of 435.00 feet, whose length is 375.25 feet and
2 whose chord length is 363.72 feet and bears S28N08'45"E to a point and
3 corner; thence proceed S03N31'39"E a distance of 163.97 feet to a point
4 and corner; thence proceed S15N51'23"W a distance of 176.98 feet to a
5 point and corner; thence proceed S31N12'07"W a distance of 75.57 feet
6 to a point and corner; thence proceed S17N32'26"W a distance of 206.71
7 feet to a point and corner; thence proceed along a curve to the left
8 having a radius of 897.69 feet, whose length is 176.48 feet and whose
9 chord length is 176.19 feet and bears N47N29'20"W to a point and
10 corner; thence proceed along a curve to the right having a radius of
11 390.00 feet, whose length is 129.97 feet and whose chord length is 129.37
12 feet and bears N06N18'35"E to a point and corner; thence proceed
13 N15N51'23"E a distance of 122.88 feet to a point and corner; thence
14 proceed N02N12'33"W a distance of 145.11 feet to a point and corner;
15 thence proceed along a curve to the left having a radius of 215.00 feet,
16 whose length is 257.88 feet and whose chord length is 242.69 feet and
17 bears N18N30'19"W to a point and corner; thence proceed
18 N52N51'58"W a distance of 179.54 feet to the point of beginning. All of
19 which comprises Parcel 1-2 as shown on Sheet 1 of 2 of the Special Map
20 of State Project No. 840-43-0009, and contains an area of 212950.9
21 square feet or 4.889 acres.

22 Section 4. The commissioner of administration and the secretary of the
23 Louisiana Department of Health, on behalf of the state of Louisiana, are hereby
24 authorized to enter into such agreements, covenants, conditions, and stipulations and
25 to execute such documents as necessary to properly effectuate any conveyance,
26 transfer, assignment, lease, or delivery of title, excluding mineral rights, to the
27 properties described in Section 1, and as more specifically described in any such
28 agreements entered into and documents executed by and between the commissioner of
29 administration and the secretary of the Louisiana Department of Health and the

1 purchaser, in exchange of consideration at least proportionate to the appraised value
2 of the properties.

3 Section 5. The commissioner of administration and the secretary of the
4 Department of Transportation and Development, on behalf of the state of Louisiana,
5 are hereby authorized to enter into such agreements, covenants, conditions, and
6 stipulations and to execute such documents as necessary to properly effectuate any
7 conveyance, transfer, assignment, lease, or delivery of title, excluding mineral rights,
8 to the properties described in Section 2, and as more specifically described in any such
9 agreements entered into and documents executed by and between the commissioner of
10 administration and the secretary of the Department of Transportation and
11 Development and the town of Boyce, in exchange of consideration at least
12 proportionate to the appraised value of the properties.

13 Section 6. The commissioner of administration and the secretary of the
14 Department of Transportation and Development, on behalf of the state of Louisiana,
15 are hereby authorized to enter into such agreements, covenants, conditions, and
16 stipulations and to execute such documents as necessary to properly effectuate any
17 conveyance, transfer, assignment, lease, or delivery of title, excluding mineral rights,
18 to the properties described in Section 3, and as more specifically described in any such
19 agreements entered into and documents executed by and between the commissioner of
20 administration and the secretary of the Department of Transportation and
21 Development and the Department of Health, in exchange of consideration at least
22 proportionate to the appraised value of the properties.

23 Section 7. The commissioner of administration and the secretary of the
24 Department of Children and Family Services, on behalf of the state of Louisiana, are
25 hereby authorized to enter into such agreements, covenants, conditions, and
26 stipulations and to execute such documents as necessary to properly effectuate any
27 conveyance, transfer, assignment, lease, or delivery of title, excluding mineral rights,
28 to the properties described in Section 3, and as more specifically described in any such
29 agreements entered into and documents executed by and between the commissioner of

1 administration and the secretary of the Department of Children and Family Services
2 and the Greater North Louisiana Community Development Corporation, in exchange
3 of consideration at least proportionate to the appraised value of the properties.

4 Section 8. The state land office shall be entitled to deduct a portion of the sale
5 proceeds necessary to offset its appraisal, survey, and other closing costs occasioned by
6 the transaction described in Section 1. The remaining proceeds shall be deposited into
7 the Louisiana Department of Health Facility Support Fund Number 2 and be dedicated
8 to the planning, design, permits, improvements, repairs, equipment, restoration,
9 renovation, or construction of the Central Louisiana State Hospital. The proceeds from
10 the transactions described in Sections 2 and 3 shall be deposited into the state treasury
11 in accordance with R.S. 39:13 and R.S. 41:131 et seq.

12 Section 9. R.S. 40:16.4 is hereby enacted to read as follows:

13 §16.4. Louisiana Department of Health's Facility Support Fund Number 2

14 A. There is hereby created, as a special fund in the state treasury, the
15 Louisiana Department of Health's Facility Support Fund Number 2, hereinafter
16 referred to as the "fund".

17 B.(1) Notwithstanding any other provision of law to the contrary, after
18 compliance with the requirements of Article VII, Section 9(B) of the
19 Constitution of Louisiana, relative to the Bond Security and Redemption Fund,
20 and after a sufficient amount is allocated from that fund to pay all of the
21 obligations secured by the full faith and credit of the state which become due
22 and payable within any fiscal year, the treasurer shall pay an amount into the
23 fund equal to the amount collected by the state from the proceeds of the sale or
24 transfer of certain lands as provided in Section 1 of the Act which originated as
25 Senate Bill No. 149 of the 2019 Regular Session of the Legislature, less the
26 amount of the sale proceeds to be deducted by the state land office to offset its
27 appraisal, survey, and other closing costs occasioned by the transactions.

28 (2) Monies appropriated from the fund shall be used solely as provided
29 in Subsection C of this Section and only in the amounts appropriated by the

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Finance to the original bill

1. Deletes authorization for the commissioner of administration and the secretary of DCFS to transfer certain property in Jackson Parish to the Greater North Louisiana Community Development Corporation.
2. Adds authorization for the commissioner of administration and the secretary of DOTD to transfer certain property to the Louisiana Department of Health.
3. Creates the Louisiana Department of Health's Facility Support Fund Number 2, and provides for the transfer, use, and investment of monies in the fund.
4. Provides that monies in the fund may also be used for planning, design, permits, improvements, repairs and equipment.
5. Clarifies that the proceeds from the transactions described in Sections 2 and 3 shall be deposited in the state treasury in accordance with present law.