

SENATE COMMITTEE AMENDMENTS

2019 Regular Session

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 326 by Representative Hill

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert: "enact R.S. 40:16.4, relative to the transfer or sale"

AMENDMENT NO. 2

On page 1, line 3, after "state property" delete "in Rapides Parish"

AMENDMENT NO. 3

On page 1, line 4, after "conditions;" insert the following:

"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;"

AMENDMENT NO. 4

On page 2, between lines 2 and 3, insert the following:

"Section 3. 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 parcel of property pursuant to R.S. 41:131 et seq.:

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

Section 4. The commissioner of administration and the secretary of the Louisiana Department of Health, on behalf of the state of Louisiana, 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, lease, or delivery of title, excluding mineral rights, to the property described in Section 3, and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of administration and the secretary of the Louisiana Department of Health and the purchaser, in exchange of consideration at least proportionate to the appraised value of the property.

Section 5. The commissioner of administration and the secretary of the Department of Transportation and Development, 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 parcel of property to the town of Boyce:

One (1) certain tract or parcel of land, and all of the improvements situated wholly or partially thereon, and all of the rights of ways, servitudes,

1 privileges and advantages thereunto belonging or in anywise appertaining,
 2 situated in Section 9, Township 5 North, Range 2 West, Southwestern Land
 3 District in the parish of Rapides, state of Louisiana, and being more
 4 particularly described as follows:

5 From a point on the centerline of State Project No. 455-05-08, at
 6 Station 206+14.19, proceed S19°08'57"W a distance of 256.79 feet
 7 to the point of beginning; thence proceed S54°03'34"E a distance of
 8 143.10 feet to a point and corner; thence proceed S20°40'02"W a
 9 distance of 129.28 feet to a point and corner; thence proceed
 10 S26°28'29"W a distance of 156.60 feet to a point and corner; thence
 11 proceed S19°10'28"W a distance of 122.52 feet to a point and corner;
 12 thence proceed N50°32'17"W a distance of 29.87 feet to a point and
 13 corner; thence proceed N48°33'29"W a distance of 195.27 feet to a
 14 point and corner; thence proceed N43°41'26"W a distance of 354.47
 15 feet to a point and corner; thence proceed N46°31'57"E a distance of
 16 268.41 feet to a point and corner; thence proceed S63°40'07"E a
 17 distance of 289.33 feet to the point of beginning. All of which
 18 comprises Tract 2 as shown on Plat by Department of Transportation
 19 and Development dated October 15, 2018 and contains an area of
 20 3.939 acres.

21 Section 6. The commissioner of administration and the secretary of the
 22 Department of Transportation and Development, on behalf of the state of Louisiana,
 23 are hereby authorized to enter into such agreements, covenants, conditions, and
 24 stipulations and to execute such documents as necessary to properly effectuate any
 25 conveyance, transfer, assignment, lease, or delivery of title, excluding mineral rights,
 26 to the property described in Section 5, and as more specifically described in any such
 27 agreements entered into and documents executed by and between the commissioner
 28 of administration and the secretary of the Department of Transportation and
 29 Development and the town of Boyce, in exchange of consideration at least
 30 proportionate to the appraised value of the property.

31 Section 7. The commissioner of administration and the secretary of the
 32 Department of Children and Family Services, notwithstanding any other provision
 33 of law to the contrary, are hereby authorized and empowered to convey, transfer,
 34 assign, lease, or deliver any interest, excluding mineral rights, the state may have to
 35 all or any portion of the following described parcel of property to the Jackson Parish
 36 Police Jury:

37 Beginning at the Northeast corner of the SE1/4 of SE1/4 of Section 32,
 38 Township 15 North boundary line of said forty 525 feet, thence run South
 39 414 feet, thence run east 525 feet or to the East boundary line of said forty,
 40 thence run North 414 feet or to the point of beginning, together with all
 41 improvements and appurtenances thereunto belonging, situated in Jackson
 42 Parish, Louisiana.

43 Section 8. The commissioner of administration and the secretary of the
 44 Department of Children and Family Services, on behalf of the state of Louisiana, are
 45 hereby authorized to enter into such agreements, covenants, conditions, and
 46 stipulations and to execute such documents as necessary to properly effectuate any
 47 conveyance, transfer, assignment, lease, or delivery of title, excluding mineral rights,
 48 to the property described in Section 7, and as more specifically described in any such
 49 agreements entered into and documents executed by and between the commissioner
 50 of administration and the secretary of the Department of Children and Family
 51 Services and the Jackson Parish Police Jury, in exchange of consideration at least
 52 proportionate to the appraised value of the property.

53 Section 9. The commissioner of the administration and the secretary of the
 54 Department of Transportation and Development, notwithstanding any other
 55 provision of law to the contrary, are hereby authorized and empowered to convey,
 56 transfer, assign, lease, or deliver any interest, excluding mineral rights, the state may
 57 have to all or any portion of the following described parcel of property to the town
 58 of Delhi:

59 A tract of land located in the NE 1/4 of the SE 1/4 of Section 24,
 60 T17N-R9E, Richland Parish, Louisiana, and being more particularly
 61 described as follows.

1 Beginning at a point that is 2559.32' north and 916.58' west of the
 2 corner common to Sections 24 and 25, T17N-R9E and Sections 19 and 30,
 3 T17N-R10E, run along the east side of a drainage ditch approximately 20'
 4 from the top bank N47°03'22"E-81.20' to a point on the south R/W line of an
 5 abandoned and re-routed parish road; thence run along the said R/W line
 6 S89°40'39"E-138.87' to a point on the fenced line that marks the control of
 7 access for Interstate 20; thence run along the control of access line and fence
 8 on the following courses S37°00'05"E-17.98'; S16° 39'25"E-19.35';
 9 S2°05'52"W-19.30'; S12°03'05"W-19.94'; S15°20'50"W-171.27' to a point
 10 that is 100' north of the existing south R/W line for a frontage road; thence
 11 run parallel with said R/W line S42°01'18"W-233.75' to a point; thence run
 12 along the arc of a curve to the left, which has a radius of 450' and a long
 13 chord 11.80' in length bearing N42°46'21"W' an arc distance of 11.80' back
 14 to the Point of Beginning, containing 0.68 acres more or less. The above
 15 described tract is a portion of Parcel No. 30-2 acquired as R/W by the
 16 Louisiana Department of Highways for State Project No, 451-07-02, Rayville
 17 - Delhi Interstate Highway, Route I-20, recorded in conveyance book 210,
 18 pages 26 and 27. It is shown as Tract "A" on a drawing prepared by the LA.
 19 D.O.T.D. entitled "R/W Disposal at the Junction of I-20 and LA. 17 at Delhi,
 20 S.W. Quadrant" dated 11/29/95, attached to and made a part of this
 21 description.

22 Section 10. The commissioner of the administration and the secretary of the
 23 Department of Transportation and Development are hereby authorized to enter into
 24 such agreements, covenants, conditions, and stipulations and to execute such
 25 documents as necessary to properly effectuate any conveyance, transfer, assignment,
 26 lease, or delivery of title, excluding mineral rights, to the property described in
 27 Section 9 of this Act, and as more specifically described in any such agreements
 28 entered into and documents executed by and between the commissioner of the
 29 administration, the secretary of the Department of Transportation and Development,
 30 and the town of Delhi, in exchange of consideration proportionate to the appraised
 31 value of the property.

32 Section 11. The state land office shall be entitled to deduct a portion of the
 33 sale proceeds necessary to offset its appraisal, survey, and other closing costs
 34 occasioned by the transaction described in Section 3. The remaining proceeds shall
 35 be deposited into the Louisiana Department of Health Facility Support Fund Number
 36 2 and be dedicated to the planning, design, permits, improvements, repairs,
 37 equipment, restoration, renovation, or construction of the Central Louisiana State
 38 Hospital. The proceeds from the transaction described in Section 3 shall be deposited
 39 into the state treasury in accordance with R.S. 39:13 and R.S. 41:131 et seq.

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

41 §16.4. Louisiana Department of Health's Facility Support Fund Number 2

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

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

56 (2) Monies appropriated from the fund shall be used solely as provided in
 57 Subsection C of this Section and only in the amounts appropriated by the legislature.
 58 All unexpended and unencumbered monies in the fund at the end of the fiscal year
 59 shall remain in the fund. The monies in the fund shall be invested by the state
 60 treasurer in the same manner as monies in the state general fund, and interest earned
 61 on the investment of these monies shall be credited to the fund following compliance

1 with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana,
2 relative to the Bond Security and Redemption Fund.
3 C. Subject to annual appropriation by the legislature, the monies in the fund
4 shall be used solely for the planning, design, permits, improvements, repairs,
5 equipment, restoration, renovation, or construction of the Central Louisiana State
6 Hospital."

7 AMENDMENT NO. 5

8 On page 2, line 3, change "Section 3." to "Section 13."