

SENATE BILL NO. 149

BY SENATOR LUNEAU AND REPRESENTATIVES ARMES, TERRY BROWN, COX, HILL, JACKSON, JEFFERSON, MIKE JOHNSON, ROBERT JOHNSON, LARVADAIN, LEBAS, MOORE, PIERRE, PYLANT AND WRIGHT

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

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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 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**

1 being the upper half of that tract of land the lower half of which was purchased  
2 by this vendee from Mrs. Marie Daid, as shown by plat attached to deed-duly  
3 of record in Conveyance Book "NN" page 235.

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

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

15 From a point on the centerline of State Project No. 455-05-08, at Station  
16 206+14.19, proceed S19°08'57"W a distance of 256.79 feet to the point of  
17 beginning; thence proceed S54°03'34"E a distance of 143.10 feet to a  
18 point and corner; thence proceed S20°40'02"W a distance of 129.28 feet  
19 to a point and corner; thence proceed S26°28'29"W a distance of 156.60  
20 feet to a point and corner; thence proceed S19°10'28"W a distance of  
21 122.52 feet to a point and corner; thence proceed N50°32'17"W a  
22 distance of 29.87 feet to a point and corner; thence proceed  
23 N48°33'29"W a distance of 195.27 feet to a point and corner; thence  
24 proceed N43°41'26"W a distance of 354.47 feet to a point and corner;  
25 thence proceed N46°31'57"E a distance of 268.41 feet to a point and  
26 corner; thence proceed S63°40'07"E a distance of 289.33 feet to the point  
27 of beginning. All of which comprises Tract 2 as shown on Plat by  
28 Department of Transportation and Development dated October 15, 2018  
29 and contains an area of 3.939 acres.

30 Section 3. The commissioner of administration and the secretary of the

1 Department of Children and Family Services, notwithstanding any other provision of  
2 law to the contrary, are hereby authorized and empowered to convey, transfer, assign,  
3 lease, or deliver any interest, excluding mineral rights, the state may have to all or any  
4 portion of the following described parcel of property to the Jackson Parish Police Jury:

5 Beginning at the Northeast corner of the SE1/4 of SE1/4 of Section 32,  
6 Township 15 North boundary line of said forty 525 feet, thence run  
7 South 414 feet, thence run east 525 feet or to the East boundary line of  
8 said forty, thence run North 414 feet or to the point of beginning,  
9 together with all improvements and appurtenances thereunto belonging,  
10 situated in Jackson Parish, Louisiana.

11 Section 4. The commissioner of administration and the secretary of the  
12 Louisiana Department of Health, on behalf of the state of Louisiana, are hereby  
13 authorized to enter into such agreements, covenants, conditions, and stipulations and  
14 to execute such documents as necessary to properly effectuate any conveyance,  
15 transfer, assignment, lease, or delivery of title, excluding mineral rights, to the property  
16 described in Section 1, and as more specifically described in any such agreements  
17 entered into and documents executed by and between the commissioner of  
18 administration and the secretary of the Louisiana Department of Health and the  
19 purchaser, in exchange of consideration at least proportionate to the appraised value  
20 of the property. However, any transfer or sale authorized by this Act shall not include  
21 the dairy barn, cemetery, or cottage located on the property.

22 Section 5. The commissioner of administration and the secretary of the  
23 Department of Transportation and Development, on behalf of the state of Louisiana,  
24 are hereby authorized to enter into such agreements, covenants, conditions, and  
25 stipulations and to execute such documents as necessary to properly effectuate any  
26 conveyance, transfer, assignment, lease, or delivery of title, excluding mineral rights,  
27 to the property described in Section 2, 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 Department of Transportation and  
30 Development and the town of Boyce, in exchange of consideration at least

1 proportionate to the appraised value of the property.

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

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

20 Section 8. R.S. 40:16.4 is hereby enacted to read as follows:

21 **§16.4. Louisiana Department of Health's Facility Support Fund Number 2**

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

25 **B.(1) Notwithstanding any other provision of law to the contrary, after**  
26 **compliance with the requirements of Article VII, Section 9(B) of the**  
27 **Constitution of Louisiana, relative to the Bond Security and Redemption Fund,**  
28 **and after a sufficient amount is allocated from that fund to pay all of the**  
29 **obligations secured by the full faith and credit of the state which become due**  
30 **and payable within any fiscal year, the treasurer shall pay an amount into the**

1 fund equal to the amount collected by the state from the proceeds of the sale or  
2 transfer of certain lands as provided in Section 1 of the Act which originated as  
3 Senate Bill No. 149 of the 2019 Regular Session of the Legislature, less the  
4 amount of the sale proceeds to be deducted by the state land office to offset its  
5 appraisal, survey, and other closing costs occasioned by the transactions.

6 (2) Monies appropriated from the fund shall be used solely as provided  
7 in Subsection C of this Section and only in the amounts appropriated by the  
8 legislature. All unexpended and unencumbered monies in the fund at the end  
9 of the fiscal year shall remain in the fund. The monies in the fund shall be  
10 invested by the state treasurer in the same manner as monies in the state  
11 general fund, and interest earned on the investment of these monies shall be  
12 credited to the fund following compliance with the requirements of Article VII,  
13 Section 9(B) of the Constitution of Louisiana, relative to the Bond Security and  
14 Redemption Fund.

15 C. Subject to annual appropriation by the legislature, the monies in the  
16 fund shall be used solely for the planning, design, permits, improvements,  
17 repairs, equipment, restoration, renovation, or construction of the Central  
18 Louisiana State Hospital.

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

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

27 Beginning at a point that is 2559.32' north and 916.58' west of the corner  
28 common to Sections 24 and 25, T17N-R9E and Sections 19 and 30, T17N-R10E,  
29 run along the east side of a drainage ditch approximately 20' from the top bank  
30 N47°03'22"E-81.20' to a point on the south R/W line of an abandoned and

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

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

27 Section 11. This Act shall become effective upon signature by the  
 28 governor or, if not signed by the governor, upon expiration of the time for bills  
 29 to become law without signature by the governor, as provided by Article III,  
 30 Section 18 of the Constitution of Louisiana. If vetoed by the governor and

1            subsequently approved by the legislature, this Act shall become effective on the  
2            day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_