Regular Session, 2012

ACT No. 867

ENROLLED

SENATE BILL NO. 702

BY SENATOR HEITMEIER

AN ACT

To authorize the Board of Supervisors of the Louisiana State University System and Agricultural and Mechanical College and LSU Health Sciences Center to transfer certain state property in Orleans Parish; to authorize the commissioner of administration to lease certain state property in Orleans Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The Board of Supervisors of the Louisiana State University System and Agricultural and Mechanical College and LSU Health Sciences Center, notwithstanding any other provision of law to the contrary, is hereby authorized and directed to transfer any interest the state may have to all or any portion of the following described parcel of property to the division of administration:

17.22 acres with a physical address of 210 State Street, New Orleans, LA 70118 and measuring 1,072' along Leake Avenue by 680' along State Street by 1024' along Tchoupitoulas Street by 773' along Henry Clay Avenure, situated in Section 13, Township 13 S-Range 11E in Orleans Parish, LA, together with all improvements thereon.

Section 2. The Board of Supervisors of Louisiana State University System and Agricultural and Mechanical College and LSU Health Sciences Center are hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any transfer to the property described in Section 1, and as more specifically described in any such agreements entered into and documents executed by and between the Board of Supervisors of Louisiana State University System and Agricultural and Mechanical College and LSU Health Sciences Center and the commissioner of administration.

Section 3. The commissioner of administration, notwithstanding any other

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provision of law to the contrary, is hereby authorized and empowered to lease any interest, excluding mineral rights, the state may have to all of any portion of the parcel of property described in Section 1 to the Children's Hospital, New Orleans.

Section 4. The commissioner 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 lease, excluding mineral rights, to the property described in Section 1, and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of administration and Children's Hospital, New Orleans, in exchange of consideration proportionate to at least the appraised value of the property.

Section 5. A. The authority provided to the commissioner of administration in Section 3 and Section 6 of this Act shall be conditioned upon the agreement authorized by Section 4 and Section 6 of this Act containing the following provisions:

(1) The property shall be administered, managed, and operated as a facility for health care, mental health care, or health care or mental health care education.

(2) The portion of the property described in Section 1 of this Act that formerly housed the New Orleans Adolescent Hospital shall be administered, managed, and operated so as to provide mental health care including in-patient and out-patient services consistent with those services provided by the New Orleans Adolescent Hospital prior to 2010. Such services may be provided by a third party as more particularly provided for in the lease agreement.

B. In the event the property is not administered, managed, and operated as provided in the conditions provided for in Subsection A of this Section, the lease shall terminate and control of such property shall immediately revert to and vest in the state.

Section 6. The lease provided for in Section 3 and Section 4 of this Act shall be executed by February 1, 2013. Failure to execute the lease shall render Section 3 and Section 4 of this Act null, void, and without effect. After such time or when Children's Hospital refuses to enter into the lease, whichever is sooner, the commissioner of administration is authorized to offer a lease of the property described in Section 1 of this Act to the highest bidder and to enter into such agreements, covenants, conditions,

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and stipulations and to execute such documents as necessary to properly effectuate any lease, excluding mineral rights, to the property described in Section 1, and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of administration and the highest bidder, in exchange of consideration proportionate to at least the appraised value of the property. Should the commissioner fail to lease the property by August 1, 2013, or six months after Children's Hospital refuses to enter the lease, whichever is sooner, the transfer provided for in Section 1 and Section 2 of this Act shall be null, void, and without effect, and title and control of the property described in Section 1 shall revert to the Board of Supervisors of the Louisiana State University System and Agricultural and Mechanical College and LSU Health Sciences Center.

Section 7. Not withstanding the provisions of R.S. 41:131 through 140 or any other provision to the contrary, the provisions of this Act shall be the exclusive authority and procedure to transfer any interest the state may have in the property described in Section 1 of this Act.

Section 8. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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PRESIDENT OF THE SENATE

_____
SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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