

Regular Session, 2014

HOUSE BILL NO. 1272 (Substitute for House Bill No. 515 by Representative Henry)

BY REPRESENTATIVE HENRY

APPROPRIATIONS/JUDGMENT: Appropriates funds for judgments against the state related to expropriation of property in the matter of "Board of Supervisors of Louisiana State University and Agricultural and Mechanical College v. 1732 Canal Street, LLC, et al"

1 AN ACT

2 To provide for the payment and satisfaction out of the moneys appropriated and allocated
3 to the LSU Health Sciences Center Health Care Services for the University Medical
4 Center (Orleans) project in House Bill No. 2 of the 2014 Regular Session of the
5 Legislature and previous capital outlay Acts to be used to pay and satisfy the
6 judgments for just compensation related to the expropriation of property in
7 accordance with Article I, Section 4 of the Louisiana Constitution of 1974, in the suit
8 entitled "Board of Supervisors of Louisiana State University and Agricultural and
9 Mechanical College v. 1732 Canal Street, LLC, et al"; to provide for costs; to
10 provide for attorney fees; to provide for interest; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. The sum of Five Million Sixty-Six Thousand Six Hundred Forty and
13 No/100 (\$5,066,640.00) Dollars (awarded in the judgment dated May 10, 2012), plus interest
14 from October 18, 2010 until paid, plus costs in the amount of Three Hundred Thousand
15 Twenty-Four and 23/100 (\$300,024.23) Dollars (awarded in the judgment dated April 29,
16 2013), plus interest from April 29, 2013, plus attorney fees of eighteen percent (18%) of the
17 additional just compensation plus interest awarded in the judgment dated May 10, 2012; plus
18 additional costs and attorney fees for post-trial work in the amount of One Hundred Thirty-
19 Five Thousand and No/100 (\$135,000.00) Dollars (awarded in the judgment dated April 2,

1 2014); said interest amounts to be calculated pursuant to R.S. 19:155; are hereby
2 appropriated, allocated or otherwise made available out of the moneys appropriated and
3 allocated to the LSU Health Sciences Center Health Care Services for the University
4 Medical Center (Orleans) project (the "project") in House Bill No. 2 of the 2014 Regular
5 Session of the Legislature for Fiscal Year 2014-2015 or previous Acts of the Legislature, to
6 be used to pay and satisfy the judgments related to the expropriation of property related to
7 said project and in accordance with Article I, Section 4 of the Louisiana Constitution of
8 1974, in the suit entitled "Board of Supervisors of Louisiana State University and
9 Agricultural and Mechanical College v. 1732 Canal Street, LLC, et al", bearing Number 10-
10 10488, Section "8", Division "N", on the docket of the Civil District Court, parish of
11 Orleans, state of Louisiana and No. 2012-CA-1370 on the docket of the Fourth Circuit Court
12 of Appeal, state of Louisiana.

13 Section 2. The judgments provided for in Section 1 hereof shall be deemed to have
14 been paid on the effective date of this Act and legal interest shall cease to run as of that date.

15 Section 3. This Act shall become effective on July 1, 2014; if vetoed by the governor
16 and subsequently approved by the legislature, this Act shall become effective on July 1,
17 2014, or on the day following such approval by the legislature, whichever is later.

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)]

Henry

HB No. 1272

Provides for the payment and satisfaction out of the moneys appropriated and allocated to the LSU Health Sciences Center Health Care Services for the University Medical Center (Orleans) project in HB No. 2 of the 2014 Regular Session for FY 2014-2015 and previous capital outlay Acts, the sum of \$5,066,640 (May 10, 2012 judgment), plus interest from Oct. 18, 2010 until paid, plus costs in the amount of \$300,024.23 (April 29, 2013 judgment), plus interest from April 29, 2013, plus attorney fees of 18% of the additional just compensation plus interest awarded in judgment dated May 10, 2012; plus additional costs and attorney fees in the amount of \$135,000 (April 2, 2014 judgment), to pay the judgments related to expropriation of property in accordance with Art. I, Sec. 4 of the La. Constitution of 1974, in the suit entitled "Board of Supervisors of LSU A&M College v. 1732 Canal St., LLC, et al", bearing No. 10-10488, Sec. "8", Div. "N", on the docket of the Civil District Court, parish of Orleans, state of La. and No. 2012-CA-1370 on the docket of the 4th Circuit Court of Appeal, state of La.

Effective July 1, 2014.