

SENATE BILL NO. 702

BY SENATOR HEITMEIER

1 AN ACT

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

8 Be it enacted by the Legislature of Louisiana:

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

14 17.22 acres with a physical address of 210 State Street, New Orleans, LA 70118
15 and measuring 1,072' along Leake Avenue by 680' along State Street by 1024'
16 along Tchoupitoulas Street by 773' along Henry Clay Avenue, situated in
17 Section 13, Township 13 S-Range 11E in Orleans Parish, LA, together with all
18 improvements thereon.

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

27 Section 3. The commissioner of administration, notwithstanding any other

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

4 Section 4. The commissioner of administration is hereby authorized to enter
5 into such agreements, covenants, conditions, and stipulations and to execute such
6 documents as necessary to properly effectuate any lease, excluding mineral rights, to
7 the property described in Section 1, and as more specifically described in any such
8 agreements entered into and documents executed by and between the commissioner of
9 administration and Children's Hospital, New Orleans, in exchange of consideration
10 proportionate to at least the appraised value of the property.

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

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

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

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

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

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

12 Section 7. Notwithstanding the provisions of R.S. 41:131 through 140 or any
13 other provision to the contrary, the provisions of this Act shall be the exclusive
14 authority and procedure to transfer any interest the state may have in the property
15 described in Section 1 of this Act.

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____