



Eight more amendments on Nov. 7 ballot

John Hill
jhillbr@gannett.com

October 29, 2006

BATON ROUGE - Eight more constitutional amendments - including No. 7, backed strongly by Gov. Kathleen Blanco and the Citizens for 1 New Orleans coalition - are on the Nov. 7 ballot.

Voters during early voting or Election Day voting should be prepared with a list, as there are no short titles on the ballot - only the formal ballot language as contained in the bill approved by the Legislature.

The Louisiana Constitution of 1921 had been amended 536 times before voters began rejecting all propositions, leading the Legislature to call a new constitutional convention that was approved in 1974. Since then, there have been 202 proposed amendments and votes have ratified 140, according to Jim Brandt, president of the private, nonprofit think tank, the Louisiana Public Affairs Research Council.

"We don't trust our elected officials, and our elected officials don't trust other elected officials, so everyone wants their program protected in the constitution than in the more transitory statutory law," Brandt said.

Here's a brief look at the eight propositions on the Nov. 7 ballot, along with what PAR says about them and what the Council for A Better Louisiana recommends for voters to do:

AMENDMENT NO. 1: Property tax assessment freezes for military, disabled

Would freeze property tax assessments for military personnel with at least 50 percent disability, prisoners of war, those missing in action, spouses of military personnel killed in action and any person that a state or federal agency has classified as permanently and totally disabled. The freeze would apply only to those with incomes of less than \$58,531, to be adjusted for inflation.

What PAR says: Proponents say these special classes of owners would be protected from tax increases because of appreciating property values. Opponents argue that the policing of homestead exemption already is difficult enough for assessors and this creates an unfairness in that other taxpayers would have to make up the difference.

CABL recommendation: No. Louisiana already provides homeowners with the nation's most generous property tax exemption, and there should be no more special benefits.

AMENDMENT NO. 2: Parish severance tax allocation

The state shares 20 percent of severance taxes on oil and gas with the parish of origin, to a cap of \$750,000. This change would raise that cap to \$850,000 in 2008, which would result in more money going to 31 parishes. The annual cap would be adjusted for inflation.

What PAR says: Thirty parishes would get the full extra \$100,000. The theory behind the revenue sharing is that there is additional wear and tear on local infrastructure. Critics say it's a small percentage of a parish's road budget and it's a bad idea to dedicate more revenue.

CABL Recommendation: Yes. It will have a negligible impact on state government but would provide additional revenues to parishes.

AMENDMENT NO. 3: Property tax exemption for leased medical equipment

Equipment owned by a nonprofit hospital is exempt from taxing, but leased equipment is taxed, even at those same hospitals. The amendment would extend the property tax exemption to leased equipment.

What PAR says: Proponents say this would cut costs for rural hospitals. Opponents say the tight restrictions, including the population limit of 10,000, mean the tax break would apply to only three of 34 nonprofit community hospitals.

CABL recommendation: Yes. Would have a beneficial impact to rural health care.

AMENDMENT NO. 4: Municipal property tax exemption for motor vehicles

Prohibits municipalities from levying property taxes on vehicles. Only New Orleans levies such a tax.

What PAR says: Proponents argue a motor vehicle tax is hard to apply uniformly. Opponents argue that New Orleans should not be hamstrung in raising money, particularly in the post-Katrina era.

CABL Recommendation: NO. Local governments already are too limited in their ability to raise money. The decision should be at the local level.

AMENDMENT NO. 5: Property tax exemption for consigned art

Art held on consignment by dealers is not exempt from property taxes, but only in New Orleans is the tax applied on consignment art in galleries. This amendment would exempt the art.

What PAR says: Proponents say the tax depresses sales tax by discouraging artists from placing their work on consignment. This amendment would provide a more artist-friendly business climate in Louisiana. Opponents said it would limit local governments from raising revenue.

CABL recommendation: Yes. Louisiana is the only state that levies a property tax on unsold art. Even in New Orleans, it is not done uniformly.

AMENDMENT NO. 6: New family and juvenile judges

This would give the Legislature the definite power to create new juvenile and family court judgeships within a judicial district.

What PAR says: The Legislature has asked the Judicial Council to report early next year about the need for specialized family and juvenile courts. Proponents say the amendment is needed to give the Legislature the specific authority to create such specialized judgeships. Some critics don't think the authority goes far enough.

CABL recommendation: Yes. Not only does it solve the legal authority for specialized courts but provides for uniformity.

AMENDMENT NO. 7: Consolidation of the New Orleans assessors

This amendment, the basis for a \$400,000 grassroots New Orleans media campaign, consolidates the seven separate Orleans assessors into one office, just like the other 63 parishes. It must pass both statewide and in Orleans Parish.

What PAR says: Proponents say this would make New Orleans assessments more uniform and would save money - a minimum of \$574,000 just by eliminating salaries and expense accounts of six assessors. Opponents argue there wouldn't be such savings, as a single assessor would need more support staff.

CABL recommendation: Yes. The seven assessors are a vestige of the 19th century, when New Orleans was growing and annexing surrounding communities, but this deal makes no sense today.

AMENDMENT NO. 8: Central Community School System

This amendment would require another suburban area of Baton Rouge to create what would be the third separate school district from the East Baton Rouge Parish system.

What PAR says: The state Board of Elementary and Secondary Education adopted a resolution opposing the creation of this district. Opponents said creation of the district is racially motivated. Proponents say it would encourage more citizen support of neighborhood-based schools.

CABL recommends: No. Passage of this amendment would create a fourth school system in East Baton Rouge. (Zachary and Baker already have separate systems.) Each time a school system is created, more bureaucracy is also added.