

10.21.08

## Ballot Propositions

The Nov. 4 ballot presents Louisiana voters with much more than the all-important contests for president, U.S. Senate and Congress. Statewide, voters will decide the fate of seven proposed amendments to the Louisiana Constitution. New Orleans voters also will decide whether to amend the City Charter to adopt a master planning process with the force of law, and Jefferson Parish voters will decide whether to expand the permitted uses of an existing sales tax. In next week's issue, we will make our recommendations in the elections for Orleans Parish district attorney, Metairie state senator, state Public Service Commission member, U.S. Senate and Congress. This week, we consider the local and statewide ballot propositions.

**New Orleans Charter Amendment** — Advocates of rational planning practices have tried for years to reform the city's Byzantine process for making land-use decisions. The proposal to amend the City Charter to create a master planning process represents the crowning achievement of those efforts. If adopted, the amendment would establish a process for adopting a master plan driven by neighborhood participation and having the force of law. That term — "force of law" — should not be misunderstood. It would not magically transform a future master plan into a local or state law. Rather, it would require future land-use decisions to be consistent with the master plan. Equally important, it would get the New Orleans City Council out of the business of ad-hoc zoning decisions long characterized by the notions of "zoning by exception" and "planning by moratorium." Instead, the City Planning Commission would assume a greater role in making long-term land-use decisions. No plan is perfect, but we believe this proposal is a major step forward. We urge our New Orleans readers to vote **YES** on the master planning charter change.

**Jefferson Sales Tax Uses** — Voters in Jefferson imposed a one-cent sales tax in 1984 for sewerage improvements. In 1998, they extended the tax to 2022 and expanded its use to include roads. On Saturday, voters will be asked to expand the tax's use again to include drainage. We recommend voting **FOR** the proposed expansion. It will *not* raise taxes.

**Amendment No. 1** would impose term limits on 10 state boards and commissions, including the state Public Service Commission, the state Board of Elementary and Secondary Education (BESE), five appointed boards of higher education, the Forestry Commission, the state Civil Service Commission and the State Police Commission. While critics say the proposal is overly broad, we support term limits. We recommend voting **FOR** Amendment No. 1.

**Amendment No. 2** would require that governors give lawmakers seven calendar days notice (rather than the current five) of special legislative sessions. We oppose this idea. Someday, a governor may need to call an emergency special session right away. On all other occasions, governors give lawmakers plenty of "unofficial" notice. We recommend voting **AGAINST** Amendment No. 2.

**Amendment No. 3** would establish a procedure for naming "temporary" legislators to fill in for those called to active military duty for more than 180 days. While this scenario does not happen often, state Rep. Nick Lorusso, R-New Orleans, was recently called back up to a year's active duty by the U.S. Army Reserves, starting next spring. His constituents deserve representation, and we recommend voting **FOR** this proposition.

**Amendment No. 4** would gradually give parishes that produce oil, gas and other minerals a greater share of state severance taxes. This is fair. We recommend voting **FOR** this amendment.

**Amendment No. 5** would allow a homeowner whose assessment is frozen (usually because he or she is over age 65, disabled or in the military) to transfer the assessment "freeze" to another home if his or her home is sold to or expropriated by the government. We recommend voting **FOR** this amendment.

**Amendment No. 6** is designed to correct hastily drafted language voters added to the constitution two years ago in the wake of a controversial U.S. Supreme Court decision involving expropriation of private property for purposes of economic development. The 2006 amendment limited the authority of state and local governments to transfer expropriated property to private parties. Amendment No. 6 would remove the restriction against transferring blighted properties to new owners. This proposal is vitally important to post-Katrina recovery efforts in New Orleans, and we therefore urge our readers to vote **FOR** Amendment No. 6.

**Amendment No. 7** would allow the public entities to invest funds dedicated to post-employment benefits — but not retirement benefits — in the stock market. That may seem risky right now, but in the long run having this option is a good idea. We recommend voting **FOR** Amendment No. 7.

For more information on the amendments and the local referenda, we recommend the Public Affairs Research Council Web site, [www.la-par.org](http://www.la-par.org), or that of the Bureau of Governmental Research, [www.bgr.org](http://www.bgr.org). Above all, we urge all our readers to vote on Nov. 4.