

The Ouachita CITIZEN

Brandt Explains Amendments

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Voters will decide on eight Constitutional Amendments Nov. 7, and Jim Brandt, PAR executive director, says residents must decide whether or not these proposals belong in the state Constitution.

Amendment No. 1 gives a special property tax break for the owner-occupied homes of seniors and their surviving spouses.

"What this tax break does is it freezes the value of your home so you will not be subject to additional tax increases due to property values," Brandt said.

The amendment would expand the list of those eligible for the property tax freeze to include people with a military service-connected disability rating of 50 percent or more; military members who are missing in action; or prisoners of war for a period exceeding 90 days; the spouses of military members killed in action; and any person that a state or federal agency has deemed permanently and totally disabled.

"Pro and con discussion has been these are groups that certainly deserve special attention. On the other hand, opponents have suggested this is not the best way to do it -- that it would be better to do a state tax rebate or an income tax rebate, and not put the burden on the local governments. By freezing the assessments, it's the local governments that lose the revenue, not the state. The state is granting the tax break, but the state is not paying for it," Brandt said.

Amendment No. 2 would allow parishes to keep \$850,000 of the severance tax the state collects each year.

"Again, this is an example of an amendment we shouldn't be voting on, but we are," Brandt said. "It's basically a revenue-sharing plan. The good news is if you vote for this, it will be the last time we have to vote to change the amount because part of this amendment adjusts it in the future on an annual basis based on inflation."

Amendment No. 3 would exempt some property taxes on medical equipment that is leased by three small rural hospitals.

"The argument in favor of it is it will help these three rural hospitals (Assumption Community Hospital in Napoleonville, Christus Coushatta Health Care Center in Coushatta, and Union General Hospital in Farmerville)," Brandt said. "The argument against is it's a very narrowly drawn tax break for three hospitals. There's 34 such hospitals in the state, but only three would qualify because of the qualifications built into this amendment. For that reason, some have suggested it be re-thought and made a little bit broader to help other rural hospitals."

Amendment No. 4 would prohibit municipal property taxes on motor vehicles.

"While this is a statewide amendment, only Orleans Parish collects such a tax," Brandt said.

"The argument in favor is it's a nuisance tax that's difficult to collect and should be eliminated. On the other side, opponents suggest that here is another example of the state foreclosing on local government's options to raise their own revenue. They say it's a local issue and if the voters of New Orleans choose to levy this on themselves, they should be allowed to do so."

Amendment No. 5 would exempt from property taxes art pieces that artists consign to art shops.

"Again, it's a very specific amendment that 99.9 percent of people in the state will have no interest in. There are only two districts in New Orleans that assess tax on art that's left on consignment in a gallery," Brandt said.

The Constitution says all property is taxable unless listed as exempt, and Brandt said that list of exemptions continues to grow.

Amendment No. 6 would allow the Legislature to create special family or juvenile court within district courts. Currently voters must pass a Constitutional amendment for each special court.

"There is some question whether the Legislature has the ability to designate certain sections in district court that would handle only juvenile or family matters," Brandt said.

"No new judgeships will be created -- it is simply giving the Legislature the authority to do this. Some have questioned whether this would lead to new judgeships later in a period of declining population."

Amendment No. 7 would only affect Orleans Parish, but must be voted on and passed statewide. A vote for would consolidate the seven separate assessors in New Orleans into a single parish-wide office. A vote against would maintain the seven separate assessors.

"Many consider this a throwback to the 19th century having seven assessors in New Orleans when every other parish has one," Brandt said.

Amendment No. 8 would carve an independent school district out of the central area of East Baton Rouge Parish.

"Central wants to pull out of East Baton Rouge Parish School System. If they do so, this will be the third break away school district within East Baton Rouge Parish in the last five years," Brandt said.

"Arguments in favor are more local control and it will reduce the need for busing. On the other side of the coin, it would have a negative fiscal impact on East Baton Rouge School System, leaving it with more at-risk students. And, it does have policy implications -- will this in fact lead to a number of other break away districts next election if this one is successful?"