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The Independent Weekly

EDITORIAL: Our Recommendations on Taxes and Amendments

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Two taxes, two different recommendations

Today's economy makes voters inherently wary of supporting increased taxes. Increased health care, housing and insurance costs are just a few of the economic factors that make voters hesitant to approve any tax measures that will take more funds out of their wallets. But next Tuesday, Nov. 7, Lafayette Parish voters are being asked to consider two new tax initiatives: an additional 1-cent sales tax for road construction and drainage projects, and a property tax to build a new courthouse in Lafayette.

Both proposed taxes were born out of necessity; there is no denying that Lafayette's traffic problems are at an all-time high. Lafayette Consolidated Government is facing a funds shortage for future road projects, and Lafayette's courthouse — built in the 1960s — is antiquated by modern law standards and presents a number of safety issues for its employees and anyone who uses it.

The real question, however, for both taxes, is whether the plan for each has been thoroughly vetted and makes sense for Lafayette Parish and its residents. In examining each case, The Independent Weekly has come to two different conclusions: We support the sales tax for road construction, but we oppose the property tax for a new courthouse.

Let's start with the road sales tax.

Lafayette's south side and north side would benefit immensely from much-needed road projects, for different reasons. The south side is a traffic nightmare due to years of poor planning and booming development, and the recent building boom in Youngsville and Broussard has helped turn daily commutes and shopping errands on the south side into aggravating gridlock. The north side, on the other hand, has lagged in economic development and is poised to become a launching pad for new commercial and residential projects. But those goals can't be achieved without road repairs and road expansion on the north side; despite a recent sales tax windfall, some of which can be used for road improvements, we will fall short of the kind of funding needed to adequately address future road infrastructure needs.

Pat Logan, LCG's associate public works director, said if the Nov. 7 road sales tax fails, the \$8.2 million LCG has on hand for 2007 projects will only be able to fund work on East Pont Des Mouton Road. If the road sales tax is approved, more than 60 road and drainage projects are slotted to be bid in coming years. I-49 and I-10 frontage roads could finally become a reality, and \$12 million would be set aside in 2007 for Louisiana Avenue from Maryview Farm Road to Gloria Switch Road.

It's vital that Lafayette take control of its own destiny on this issue, because the state's shaky post-hurricane finances mean that matching state funds for road projects simply can't be counted on for local infrastructure improvements. By having a new sales tax fund road improvements, Lafayette Parish gets the dual benefit of people who travel from outside the parish to shop (the group that constitutes more than a third of the parish's retail sales). They will be paying to use our streets while also adding to our tax base.

Most important, the road sales tax is a dedicated tax. Part of the problems in past propositions was vague language that allowed LCG to use the money for "capital improvements" rather than restricting it to road and drainage projects. The Nov. 7 proposed sales tax decrees that 80 percent of the collected revenues must be used for construction, with the remaining 20 percent allotted for maintenance. This gives voters some necessary assurance that their tax dollars will be going to their intended use and not squandered on unrelated projects.

We can't find that kind of financial responsibility in the proposed property tax to fund a new courthouse.

One of the main reasons we find the proposed courthouse tax so troublesome is its poor presentation to the public. The significant financial costs of the project — an estimated \$52 million for a new courthouse, and \$13.5 million for renovation of the existing courthouse — demand scrutiny, and voters deserve a clear explanation of the cost

breakdowns and other options. But supporters of the courthouse tax (including City-Parish President Joey Durel, the Greater Lafayette Chamber of Commerce, Clerk of Court Louis Perret and numerous local judges and attorneys) — have only been visibly stumping for the proposal in the recent weeks leading up to next Tuesday's vote.

There has been only one feasibility study — at the hefty cost of \$150,000 — regarding the need for a new courthouse. That study concluded that renovations were not a feasible option, due to limited available space in the courthouse and potential asbestos problems related to any remodeling efforts. Both conclusions might ultimately prove true, but it's too much to ask voters to accept those findings on good faith alone. It's LCG's duty to get multiple opinions and possible options for such a massive, costly project, and that hasn't been done in convincing fashion. We also question whether a property tax measure is the most appropriate funding source for a new courthouse and whether constructing a new courthouse is truly the parish's most pressing issue.

At press time, supporters of the courthouse tax had called a press conference regarding the tax for Tuesday, Oct. 31, but one week of blitzkrieg stumping is simply not enough time to ask voters to approve a \$70 million ballot measure. And there also seems to be a puzzling disconnect between courthouse tax supporters and Durel. While Durel has long supported building a new courthouse, it's hard to believe that one or both parties didn't realize the potential political disaster it would be to put not just one, but two significant tax measures on the same ballot. The courthouse tax could have easily been held until 2007, giving its proponents plenty of time to clearly lay out the need and costs associated with a new courthouse — and when it wouldn't have to compete with the road sales tax. Forcing the issue now defies common sense.

Finally, in the 7th District Congressional race, The Independent Weekly has a policy of not endorsing individual candidates, so we make no recommendation in that race.

The Nov. 7 constitutional amendments

The madness must stop. A little more than a month ago, the Louisiana Legislature put a whopping 13 constitutional amendments on the Sept. 30 ballot. It included a number of important hurricane-related measures regarding coastal funding and eminent domain, but there were also a few less-than-vital proposed amendments, like asking voters to constitutionalize such issues as election protocol should the Lieutenant Governor leave office.

Now the Legislature is at it again, putting eight proposed constitutional amendments on next Tuesday's Nov. 7 ballot. It's in keeping with Louisiana's unnecessary and unfortunate habit of continually amending its constitution, often with unnecessary amendments. Since our Constitution was first adopted in 1921, Louisiana has added more than 650 amendments — more than any other state. Far too often, the effect of such constitutional amendments could be achieved through legislation, rather than consistently asking voters to wade through proposed amendments written in tortured legalese. It's tempting to reject these latest eight proposed amendments on the Nov. 7 ballot on principle alone, but there are a few particularly worthy amendments this time around, so we'll address them individually. We also recommend that voters visit the Public Affairs Research Council Web site (<http://www.par.org/>) for a more detailed analysis of each amendment.

1) Amendment No. 1 would benefit certain current and former disabled military members by freezing their property tax assessments. It also would apply to spouses of military personnel killed in action. We vote FOR Amendment 1.

2) By voting for this amendment — which would increase the amount of state oil and gas severance tax revenue collected by the originating parishes from \$750,000 to \$850,000 — voters are at least assured that a future proposed constitutional amendment on the issue won't crop up. It caps the oil and gas tax at \$850,000 and automatically adjusts it for inflation in the future, so we vote FOR Amendment 2.

3) Too often, proposed amendments take a good idea and ruin the intent by using imprecise language that leaves too many loopholes. That's the case here, as this amendment attempts to exempt rural nonprofit hospitals from property taxes on leased medical equipment. It's a noble idea, but PAR notes that only three out of 34 nonprofit hospitals would qualify for the exemption under this amendment. We vote AGAINST Amendment 3.

4) New Orleanians should be turning out in force to support this amendment, which would kill the property taxes on motor vehicles in New Orleans. The Crescent City is the only Louisiana city to tax vehicle ownership, and especially given the financial hardships facing so many New Orleanians post-Katrina, it's time for the tax to be rescinded. We vote FOR Amendment 4.

5) This is another example of an issue that could be handled with legislation instead of burdening the constitution. That said, it's still worth supporting, as it prevents property taxes on art being sold on consignment at art galleries or businesses. Sales taxes are

already collected on art sales, and there's no need to add another tax on top of it. We vote FOR Amendment 5.

6) Amendment No. 6 would allow for new family and juvenile judgeships. The constitution already allows legislators to create general judgeships, and this would extend that discretion into the creation of family and juvenile judgeships in existing district courts. Allowing trained and capable judges in those fields to focus on those areas would be beneficial, so we vote FOR Amendment 6.

7) No proposed amendment on the ballot is as important as this one. Amendment 7 would consolidate New Orleans' seven assessors into one, and this move is long overdue. The current seven-assessor system has been rife with political patronage and waste for years, and New Orleans is the only parish in the state to use more than one assessor. As New Orleans and Louisiana continue the post-hurricane rebuilding effort and attempt to show the rest of the country that the days of cronyism and good ol' boy politics are over, passing this amendment would send a powerful message. We vote FOR Amendment 7.

8) This amendment could set a dangerous precedent. The Central community in Baton Rouge — part of East Baton Rouge Parish — isn't happy with operating as part of the larger school system and wants to secede and form its own school system. Opponents of the measure, including the Louisiana Federation of Teachers, argue that allowing Central to form its own school system will divert funds from other schools, as well as waste educational funds on a whole new layer of bureaucracy in the standalone school. We vote AGAINST Amendment 8.

Is Louisiana's reliance on constitutional amendments often unnecessary and wasteful? Yes. But until the system is reformed, your vote on these amendments counts more than ever, and we urge you to head to the polls on Nov. 7 and let your voice be heard.

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