

Regular Session, 2008

HOUSE RESOLUTION NO. 166

BY REPRESENTATIVE PETERSON

A RESOLUTION

To urge and request the House Committee on House and Governmental Affairs to study and make recommendations regarding issues relative to the possibility of a lapse of time between the expiration of the terms of the current assessors in Orleans Parish and the date on which the assessor elected in 2010 takes office, and to report its findings to the legislature prior to the 2009 Regular Session.

WHEREAS, prior to the 2006 Regular Session of the Legislature, the Constitution of Louisiana provided in Article VII, Section 24 that one tax assessor shall be elected for a four-year term of office in each parish, except Orleans, and that the election of the assessor shall be provided for by law; and

WHEREAS, Article VII, Section 24 of the Constitution of Louisiana provided further that in Orleans Parish seven tax assessors shall be elected for four-year terms of office and that the assessors shall be elected at the same time as the municipal officers of New Orleans; and

WHEREAS, Act No. 863 of the 2006 Regular Session of the Legislature, which was ratified at the statewide election held on November 7, 2006, amended Article VII, Section 24 of the Constitution of Louisiana to provide that one assessor shall be elected for a four-year term in Orleans Parish; and

WHEREAS, Act No. 863 of the 2006 Regular Session of the Legislature did not amend the language of Article VII, Section 24 of the Constitution of Louisiana providing that the assessor in Orleans Parish be elected at the same time as the municipal officers of New Orleans; and

WHEREAS, R.S. 18:402 provides that primary elections for municipal officers in parishes containing a municipality with a population of four hundred seventy-five thousand or more shall be held on the first Saturday in February and that general elections for such positions shall be held on the fourth Saturday after the first Saturday in February; and

WHEREAS, the four-year terms for assessors in Orleans Parish began on the first Monday in May in 2006; and

WHEREAS, prior to the 2006 Regular Session of the Legislature, R.S. 47:1901 provided that the assessor in each parish, except Orleans, shall be elected for a four-year term at the general state election and that each assessor holds office for four years from and after the thirty-first day of December of the year in which he is elected; and

WHEREAS, Act No. 622 of the 2006 Regular Session of the Legislature amended R.S. 47:1901 to provide additionally that one assessor shall be elected in Orleans Parish at the local municipal election and that the assessor shall hold office for four years from and after the thirty-first day of December of the year in which he is elected; and

WHEREAS, because R.S. 47:1091 provides that the assessor shall hold office for four years from and after the thirty-first day of December of the year in which he is elected, it appears there will be a lapse of time between the expiration of the terms of the current assessors in Orleans Parish and the date on which the assessor elected in 2010 takes office.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the House Committee on House and Governmental Affairs to study and make recommendations regarding issues relative to the possibility of a lapse of time between the expiration of the terms of the current assessors in Orleans Parish and the date on which the assessor elected in 2010 takes office, and to report its findings to the legislature prior to the convening of the 2009 Regular Session.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES