

Reso.
2008-0444

INTRODUCED BY: DENNIS NUSS, COUNCILMAN, DISTRICT VII
LARRY COCHRAN, COUNCILMAN, DISTRICT V
CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION A
PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
SHELLEY M. TASTET, COUNCILMAN, DISTRICT II
TERRY AUTHEMENT, COUNCILMAN-AT-LARGE, DIVISION B
BILLY RAYMOND, SR., COUNCILMAN, DISTRICT I
WENDY BENEDETTO, COUNCILWOMAN, DISTRICT III

RESOLUTION NO. 5591

A resolution in support of Proposed Constitutional Amendment No. 4 (Act No. 932 – House Bill No. 420, Regular Session, 2008)

WHEREAS, currently, each Parish Governing Authority receives one-fifth of the severance tax on all natural resources other than sulphur, lignite, or timber severed or produced in the Parish subject to a cap of \$850,000.00 and the State receives the other four-fifths plus the balance above the local CAP, and,
WHEREAS, some Parishes currently receive the maximum amount of \$850,000.00, based on severance information available from the fiscal year ending June 30, 2007, and,
WHEREAS, House Bill 420 by Representative Gallot (Act 932) in the 2008 Regular Session increases the current cap on the local one-fifth, but does not represent an increase in the overall severance tax; and,
WHEREAS, beginning July 1, 2009 the cap would be raised to \$1,850,000.00, and increases again on July 1, 2010 to \$2,850,000.00 with a CPI index increase per year with the State to receive their four-fifths portion and the local CAP balance which equates to the State receiving approximately 92% of total funds, and,
WHEREAS, proposed Constitutional Amendment No. 4 requires at least 50% of the increase in revenue received above the current CAP be used in the same manner and for the same purpose for projects in the Parish Transportation Fund, and,
WHEREAS, proposed Constitutional Amendment No. 4 requires that 50% of severance taxes on State owned lands in the Atchafalaya Basin, each fiscal year, be deposited into the Atchafalaya Basin Conservation Fund; and,
WHEREAS, the amount deposited into the fund can not exceed \$10 Million in any one fiscal year, and,
WHEREAS, the money can only be used to fund Atchafalaya Basin projects contained in the Atchafalaya Basin Annual Plan, which is approved by the Research and Promotion Board, and the Louisiana Legislature, and,
WHEREAS, eighty-five percent of these monies shall be used for water management, water quality, or access projects such as boat launches in the Atchafalaya Basin and the remaining fifteen percent can be used for other projects that are in accordance with the mission statement of the state master plan, and,
WHEREAS, proposed Constitutional Amendment No. 4 improves the Atchafalaya Basin Program operation and creates transparency, and,
WHEREAS, proposed Constitutional Amendment No. 4 will allow Parish Governments and Police Juries contributing to the energy needs of Louisiana and the entire country to receive their fair share of additional revenue for bearing the demand on the parish transportation infrastructure that is affected by the production of oil and gas that generates the severance tax to the State, and will also assist in protecting the natural resources of our State in the Atchafalaya Basin.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby express its support of Proposed Constitutional Amendment No. 4 (Act No. 932 – House Bill No. 420, Regular Session, 2008) which will be on the November 4, 2008 election ballot.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows.

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this 3rd day of November, 2008, to become effective five (5) days after publication in the Official Journal.

Support Amendment No. 4

CHAIRMAN 

SECRETARY 

DLVD/PARISH PRESIDENT November 4, 2008

APPROVED  DISAPPROVED _____

PARISH PRESIDENT 

RETD/SECRETARY November 5, 2008

AT 9:05 am RECD BY 