

Faxon leads failed fight vs. shared school taxes

By Tim Richard
staff writer

Growing suburbs would share their business property tax bases with the rest of the state under a 1992 school aid bill passed by the state Senate but which still must go to the House.

"For years people (outstate) have said we want what you've got," protested Sen. Jack Faxon, D-Farmington Hills. "Now the three big counties will share with the rest of the state because they (outstate) want."

"The cost of living and cost of property are different in the Upper Peninsula. Oakland County housing costs are different from Antrim or Newaygo," Faxon said in a series of protests.

The bill Tuesday was returned to the House, which hadn't included tax base sharing in its version.

THE SENATE Tuesday passed the \$3 billion public school aid bill 24-9 with most of the nay votes coming from the tri-county suburbs with out-of-formula school districts.

Voting no were Faxon, Robert

Geake, R-Northville, and David Hontigman, R-West Bloomfield. Voting yes were Mat Dunaskis, R-Lake Orion, and William Faust, D-Westland. Missing the vote was George Z. Hart, D-Deerborn. On earlier amendments, Hart had voted with Faxon.

Dunaskis switched, supporting Faxon's amendments on non-record roll calls and with the majority later in the day.

Faxon also failed with two other amendments to strip the bill of provisions requiring busing money for in-district schools of choice, and to restore \$50 million in categorical aid for special and bilingual education. His amendments never got more than five to eight votes in the 37-member chamber.

THE BILL was a major victory for Faxon's debating foe, Sen. Dan DeGrow, R-Port Huron, chair of the Senate Appropriations subcommittee on K-12 aid.

"This will shift \$400 million from the wealthy to the poorer districts over 10 years," said DeGrow, who said he has given up on asking voters for more taxes for equity between

rich and poor districts.

The shift would occur in increments of \$35 to \$40 million a year, he said.

DeGrow said differences between the Senate and House versions likely will be settled in a conference committee — three senators and three representatives. That improves the plan's chance of passage because DeGrow's House counterpart, Rep. James O'Neill, D-Saginaw, also supports tax base sharing.

DeGrow said Gov. John Engler is likely to sign a tax base sharing plan. Engler was to deliver a special school reform message this spring but deferred it until fall. In an interview with this newspaper, Engler strongly hinted he would support tax base sharing.

IF THE PLAN ever becomes law, all districts would share half the future growth in commercial and industrial property on a regional basis, with the funds being returned to districts on a per-pupil basis.

Residential and farm property would be unaffected.

Faxon said it would cost little in

built-up districts like Southfield but would hit newer areas like Novi.

"If you happen to be in a growing area, your new growth is not going to you but your neighbors," said Faxon. "Those who have it are gonna keep it, and those who are going to make it in the future will share."

DeGrow admitted that was true but added, "We can't go on the way we are. (Faxon) would have you believe he's the champion of equity. He's the center of the status quo."

FAXON ALSO assailed the way DeGrow's three regions were set up to divide metropolitan business growth.

Wayne County would be in a district covering the lower two tiers westward to Berrien County in the Lake Michigan fruit belt.

Oakland would be lumped with Livingston and counties to the northwest, as far north as Gladwin and Clare.

Macomb's district would include the cornfields of the Thumb, then swing north around Saginaw Bay and take in northern lower Michigan and the UP.

For the current year, DeGrow said, the sharing would amount to about \$30 a pupil in all three regions.

OTHER HIGHLIGHTS of the Senate's K-12 aid bill:

• It's a two-year bill. The Legislature has voted to freeze property assessments in 1992, and DeGrow wanted to show districts what the aid picture will look like.

• Overall, there is 5 percent more money in '92 and 4.5 percent more in '93.

• The categorical "recapture" (takeaway) continues at \$72 million this year but is eliminated thereafter.

er, to soften the blow for out-of-formula districts.

• Every district would be required to adopt a "schools of choice" plan for parents to select their youngster's schools. It wouldn't be necessary in districts with a single high school. Their busing costs would be covered by the state. DeGrow estimates only 1 percent of parents would exercise choice.

• Six intermediate (county) school districts could volunteer for countywide "choice" plans. DeGrow said small, rural, homogeneous counties like Sanilac are most likely to apply for grants.

B'ham attorney produces video targeting incivility among lawyers

In their zeal to produce favorable results for clients, too many lawyers are casting aside professionalism and common courtesy in dealing with one another, according to Lawrence A. Dubin, a law professor at University of Detroit Mercy and a resident of Birmingham.

A lawyer and member of the Michigan State Bar's Task Force on Professionalism, Dubin said that "bully tactics and incivility" are becoming increasingly common.

"Some lawyers are using Rambo-like tactics to accomplish their objectives," he said. "They seem to think that intimidation and rudeness will produce the desired results

more quickly than will courtesy and civility."

But rude behavior often has the reverse effect, notes Robert Berg, a practicing attorney and director of the Legal Assistant and Legal Administration Programs at U-D Mercy's Outer Drive Campus. "It doesn't contribute to speedy resolution of disputes," he said. "When one side uses acrimonious behavior the battle lines are drawn. The tendency is for the opposition to dig in and to reply in kind."

"One mark of a professional in any field of endeavor," said Dubin, "is that you treat others, and certainly those within your own profes-


sion, with respect. Unfortunately, we're seeing an erosion of that respect."

TO HEIGHTEN awareness of the problem and to promote discussion that may point the way toward solutions, the State Bar has funded a videotape called "Civility—Among Lawyers: A Self-Examination."

Produced and directed by Dubin, the tape is the culmination of a series of meetings in which lawyers from around the state discussed the problem and what might be done about it. It features inclusive comments from judges, attorneys and professors who discuss causes and cures for the incivility problem.

Among reasons cited by interviewees for the trend toward offensive behavior were absence of regulations against uncivil behavior, depersonalization of the profession due to increasing numbers of lawyers, judges who set a bad example and aren't critical enough of improper behavior, clients who encourage aggressiveness and the confrontational nature of law practice.


"Even lawyers coming in for mediation get to the point of almost coming to fistfights," said one of the 18 attorneys who appears in the program. Observed another: "There is less civility than there was 20 years ago."



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