

# What 'Equal Protection Of Laws' Means To Taxes

By TIM RICHARD

Is a kid being discriminated against by the state if he's born in a poor neighborhood instead of a rich neighborhood?

Yes, say the California Supreme Court, Gov. William Milken and Atty. Gen. Frank Kelley.

Maybe you used to think that being born with a silver spoon in your mouth was a matter of luck, and that if you weren't the way to correct things was either to get into the right business or start a revolution.

Not any more. The way to correct things, these days, is to go to court.

HEART of the matter is a provision in the U.S. Constitution about "equal protection of the laws."

California appears to have a method of financing its schools similar to Michigan's. It's based on the school district property tax, and some districts have more taxable property than others. The layman then asks:

"What's discriminatory about that?"

So one asks the layman in return: "There are three levels of government — federal, state and local — right?" He answers: "Right."

And you can tell him: "No, wrong. The U.S. Constitution recognizes only two levels of government — federal and state. Local units, whether cities, counties, school districts or townships, are simply creatures of the state."

Education isn't a school district's responsibility. It's the state's responsibility. That's not one writer's political opinion; it's a matter of constitutional law.

THE STATE MAY create whatever local units it sees fit, either through its constitution or by statute. But always those local units are creatures of the state. They have only the powers — including the power to tax — that the state chooses to let them have. Now it becomes clear what the California court, Milken and Kelley are getting at. The

state permitted the creation of school district boundaries that have different levels of wealthiness (expressed of course as state equalized valuation per pupil).

Therefore, if a kid in a poor district has less money spent on him or if the taxpayer in a poor district has to pay a higher rate than the property owner in a rich district, both the kid and the taxpayer are being injured — as a matter of state policy. So the argument goes.

CALIFORNIA, having ruled first, is in the position of setting a precedent. The Michigan Supreme Court doesn't necessarily have to follow that ruling since California's court is neither a superior nor longer standing authority. But no one should be surprised if the Michigan high court agrees.

The Michigan court is 6-1 Democratic. Democrats are committed by platform to wiping out inequities in the property tax, and many Republicans are, too. If the Michigan court rules

the school property tax unconstitutional, don't be surprised if Justice John B. Swainson writes the opinion. Swainson has been getting the most important Supreme Court opinions to write — the Indian fishing case and the college student voting rights case, to cite two. Moreover, it's widely accepted that Swainson doesn't care to be overshadowed by Kelley in party circles.

IT'S ONE THING to declare the school property tax unconstitutional, however, and another to replace it. Several options are open to the governor and Legislature:

- Adopt a statewide property tax and return funds to local school districts on a per-pupil basis.
- Raise the state income tax, which currently is levied on a flat rate.
- Repeat the provision in the state constitution prohibiting a graduated income tax, then levy such

a tax. This is Democratic policy. Gov. Milken and some Republicans indicated a willingness to go along with it in order to get rid of the property tax, but they are less than enthusiastic about it — especially since the voters said an emphatic "no" to such a constitutional amendment in 1962.

FUNNY THING about that phrase, "equal protection of the laws."

It's the same phrase the U.S. Supreme Court cited in 1954 when it declared school segregation unconstitutional, the same phrase that's being cited in federal court in Detroit where Judge Stephen Roth must decide whether black and white kids should be bussed back and forth between the inner city and the suburbs to achieve racial balance.

It's a little phrase — "equal protection of the laws" — that can stretch a long, long way.

## Regional Affairs



SKIP ROSENTHAL, former head librarian of the Livonia School system, will strum the banjo and Henry Przybyski will play the Honky Tonk piano in a performance at the Livonia Mall during the seventh anniversary celebration this weekend.

## Mall Celebrates 7th Anniversary

Celebrating its seventh anniversary, the Livonia Mall will feature a number of activities and entertainment from Thursday through Friday.

Astrologist Damon will chart personal horoscopes daily from 12 noon until 9 p.m. and will entertain every evening at 7 p.m. with an hypnosis, ESP and mind reading act, while his wife reads palms.

Youngsters can see ventriloquist Will Hatch and Chester Mouse at 2:30 and 6:30 p.m. Thursday and Friday and at 11 a.m. and 2 and 5 p.m. on Saturday.

Mike Sullivan will perform a magic act at 1 p.m. Thursday, 1 and 3 p.m. Friday and 1, 3 and 6:30 p.m. Saturday.

Adults will enjoy the Six Star International Dixie Jazz Band featuring Andy Mornille and Al Winters on the clarinet and sax at 4 p.m. Thursday and Friday.

Nate Rondell of Grinnells will play the organ at 12:30 p.m. each day, and the Tonky Honks will live up the show at 6 p.m. each night.

Other features include a demonstration in making pottery and free caricature posters of Tiger, Lion or All Star players.



VENTRILLOQUIST Will Hatch and his friend Chester Mouse will perform for youngsters in the Livonia Mall this weekend. The 17-year-old Hatch has been a ventriloquist for the past nine years.

## Why Bill Bannan Is 'Old-Fashioned'

By W.W. EDGAR

"You're damned right I'm old-fashioned," William ("Bill") Bannan, superintendent of the Detroit House of Correction chuckled when he uttered these words and then added, "and I'll be that way until those 'bleeding hearts' downtown give us equipment with which to work."

During the week he had

been charged by several members of the Detroit City Council, which controls Dehoco, that he was way behind the times in his management of the Detroit-owned institution located in Plymouth Township. In fact, Councilman Carl Levin called him old-fashioned.

AMONG THE charges was that the women's division was loosely run; that there was not

a sufficient number of toilet facilities; and that women inmates were receiving only 10 cents a day for their work in the laundry.

Bannan pointed out that the buildings were erected 40 years ago — at a time when it was the custom to have toilet facilities in every room — and that the wages hadn't been raised in 20 years "because council never appropriated the money for a raise."

He also stated in his own defense that he repeatedly had asked for an increase in the number of matrons — 10 to be exact — and that every request was turned down.

He would like to see the wages for the inmates raised to 50 cents a day — but that would mean an increase of \$90,000 in the budget, and he is doubtful that it would be granted in the present austerity program.

COUNCIL President Mel Ravitz charged that while Bannan was teaching the inmates work habits, they weren't being trained for any particular type of work upon their release.

Bannan answered the charge by explaining that some years ago he had asked for several key-punch machines so that the inmates could be taught something useful. Several were "loaned" to Dehoco for a few weeks, then taken away.

To offset this loss Bannan pointed out that he made a deal with the State Highway Commission, and now the inmates do much of the key-punching for the state.

He also called attention to the fact Dehoco has an agreement with Plymouth High School whereby teachers are assigned to the women's division several nights a week and that 22 inmates have received high school diplomas in the past few years.

"There's no problem around here that money wouldn't remedy. But until the cash is appropriated we'll just have to remain old-fashioned," he finished.



REALTOR OF THE YEAR — Daniel Williamson (left) of Lathrup Village was recently presented the award of "Realtor of the Year" by Richard Dinger (right), Michigan Real Estate president. Williamson was chosen for the award by the Western Wayne-Oakland County Board of Realtors.

## Williamson Named Realtor Of Year

Daniel R. Williamson, 1972 San Diego, Lathrup Village, was recently named "realtor of the year" for 1971 by the Western Wayne-Oakland County Board of Realtors.

Currently the president of the board and of the United Northwestern Realty Association, Williamson has won two national awards for advertising signs and

billboards that he designed for Real Estate One.

He is secretary of the Detroit Real Estate Board and a director of the Michigan Real Estate Assn.

Several articles written by Williamson have been published by the National Institute of Real Estate Brokers, and he has developed computer programs which are available to realtors.

## Is Your School District Shorted?

SCHOOL DISTRICT	TAX BASE PER CHILD	SPENDING PER CHILD	TOTAL MILLAGE
Spouth Redford	\$28,578	\$906	29.2
Spouthfield	23,535	832	30.4
Birmingham	23,113	1,077	34.8
Plymouth	22,044	757	35.1
Detroit	17,720	756	22.9
Livonia	16,758	792	36.0
Eastmont	15,084	807	36.9
Warrenville	13,142	770	37.9
Wayne-Westland	11,807	793	43.3
Redford Union	11,433	783	40.9
Garden City	7,531	670	37.5
Wykster	6,637	708	32.9

\*NOTES: Source is Michigan Dept. of Education figures for fiscal 1969-70, the last full year for which data are available. "Spending" is operating costs. "Total millage" includes operating, bond retirement and sinking fund tax rates. Operating figures are rounded off to the nearest dollar, tax rates to the nearest tenth of a mill.

# WORTH CHANGING BANKS TO GET

# FREE 99 FREE

## LIVONIA CHECKING

- Simply maintain a minimum monthly balance of just \$99. Just \$99!
- Write as many checks as you want ... FREE!
- Make as many deposits as you want ... FREE!
- Easy-to-reconcile statement each month ... FREE!
- NO service charge!
- NO maintenance fees!
- NO other accounts are necessary to qualify!
- Full range of check styles, types and covers!
- Fast Information now. Call 421-8200. You will find "99 LIVONIA CHECKING" worth changing banks to get!

Open Mon. thru Sat. 'til 4:30 P.M. ... 'til 6:00 P.M. Fri.

# LIVONIA NATIONAL BANK

7 Offices to Serve You/Phone 421-8200/Deposits Insured up to \$20,000 by F.D.I.C.