

**OBSERVATION POINT**

# 'Sky's The Limit' Tax Ruling Shocks Citizens

By Philip H. Power  
Publisher

Local taxpayers received a real shock last week when the State Supreme Court ruled that there were, in effect, no real limits to local property taxes.

Up to then, it had been generally assumed that the 1963 state constitution set a maximum limit of 15 mills for local government operating property tax and 50 mills for all property taxes including bond retirement levies. But Justice Eugene Black simply ruled that this wasn't so; that all a local government unit had to do to get around millage limits was to levy property taxes to pay off bonded debt; and that such a thing could happen without a vote of the people.

Local taxpayers have been sore about rising property taxes for years. Recently the practice of keeping the millage rate flat but reassessing property values or jiggling with the equalization ratio thereby resulting in increased taxes without a public vote made people even madder.

Now the Supreme Court has made it clear: There are no limits.

THE NEW RULING makes these things possible:

• The Wayne County Commission could vote to levy property taxes to support the new stadium in downtown Detroit - without a vote of the people.

• A community college, such as Schoolcraft or Oakland Community, could put up new buildings on its campus and finance them with bonds supported by new property taxes - without a vote of the people.

• Wayne County could build a new jail and pay for the bonds by more property taxes - without a vote of the people.

• A township, such as Redford, could use higher property taxes to build a new golf course - without a vote of the people. And so on, and so on. Makes your hair stand on end, doesn't it?

SURPRISINGLY, reaction from local officials has been tempered.

Southfield City Treasurer Roman Gronkowski: "We've known all along that there was no real limit on property taxes in the constitution. But it's been our policy to make sure the people get a chance to vote on any new property taxes, regardless of whether we could get them in under the loophole in the constitution."

Livonia Mayor Edward McNamara was more specific: "This ruling will not affect our practice of making sure the people get a chance to vote on any new property taxes. Even though in theory we could have put through additional property taxes to finance our new ice rink, we've made sure the one

half mill to support the rink is on the May 16 ballot."

In fact, it seems that most local officials knew of the constitutional loophole long ago; it took the Supreme Court's ruling to bring it to general public attention. As the guy on TV says, "Ain't that the truth, now."

But, in fairness, it seems that most local government bodies are not going to use the new loophole to force through new taxes without public vote. They're not being idealistic; public reaction would be explosive.

NOW, AS USUAL, the State Legislature will have to get going to clean up the mess.

Obviously, what needs to be done is to get on the statewide ballot a proposition making quite clear just what the limits on taxing power are for local governments.

But, as State Sen. Carl Pursell, who represents Plymouth, Farmington and Livonia, notes, "This is not a simple matter. Any such measure will have to get drafted by this week to get on the May 16, ballot, and it's a complicated piece of work. I just don't think there is enough time to get a vote this spring."

The problem is complicated by the fact that the governor, the Legislature, and both political parties are now in the midst of haggling out some sort of compromise that would take financing of public schools away from property taxes and substitute an income tax. In addition, the U.S. Supreme Court is about to rule on the whole question of constitutionality of property taxes.



Jim Richard writes

## Time Voters Evaluate Need For A Wayne County Jail

Some random thoughts on the proposal to build a new Wayne County Jail:

A circuit court panel says the present jail is inadequate and that it's inhumane to lock people in it. The judges say the same thing about the county's youth detention facilities.

Hardly anyone who has seen those facilities would disagree. Under that kind of judicial pressure, the County Board of Commissioners is getting a May 16 ballot proposal ready to levy a tax of anywhere from a half-mill to a full mill.

THERE IS A question of judicial power here.

If the judges hadn't made a ruling, there's a good chance we wouldn't be facing this tax proposal. The court is making a ruling, as a matter of con-

stitutional law, that our elected lawmakers were remiss in meeting a problem.

A judicial hard-core could say the court is meddling in a political problem. After all, the county commissioners and Sheriff Lucas are politicians, and the taxes we're being asked to pay will be a political issue. It's one thing when a court tells us to give a man a new trial because the first one wasn't fair. It's quite another when a court tells us to levy taxes and spend millions of dollars on some buildings.

Query: What will the mighty judges do if they say "no" at the polls?

ON THE OTHER hand, it's a sad reflection on our people that it takes a court order to force us to build a decent jail

and juvenile home. The people in them were crooks and delinquents (and some will even be found innocent at their trials), but they still deserve to be treated like human beings.

From the window of my office (in a year-old, showcase building), I can look out at construction of the multi-million dollar Jeffries freeway; north a mile, St. Mary Hospital is putting on a new addition, in case I blow a gasket and have a coronary; there are many shiny new homes; I edit stories about new ice rinks, new office complexes, a new high school, new auto company expansions.

We can afford those things, but some folks are going to say they can't afford to pay more taxes for a new jail, and people in jail ought to be treated like rats, anyway.

INSPIRED BY the Wayne County jail case, a political group devoted to "radical change" is planning a similar suit against the whole darn state prison system.

Their lawyer, Zolton Ferency, will give them a good rate, but it will still cost them a few thousand to fight that case. Funny: Our legalistic society likes to get far-reaching court rulings, but so far I don't hear any politicians campaigning for that new jail and juvenile home.

I'm hoping the radicals, if they really want to be worthy of their name, will drop their plan for an anti-prison suit and devote that money instead to campaigning for the jail system.

Any loud mouth lawyer can ask a liberal judge for a constitutional ruling that the prison system stinks, but it's going to take real political courage to stand in front of taxpayers and ask them to vote more property taxes to build a jail and juvenile home.

IF I WERE campaigning for the jail millage, however, I wouldn't talk about being humane to prisoners and delinquents. I'd argue that because our jail system is so wretched, judges are putting convicted persons on probation when they should be giving them sentences; releasing accused persons on low bonds when they should be incarcerating them until trial; and letting brats run loose because they'll learn more tricks of the criminal trade in detention than they will back in our neighborhoods.

So let's lock the bums up in a new jail and protect our nice neighborhoods and sweet kids. It would be useless to appeal to people's sense of decency toward prisoners.

### Sense And Nonsense

Newspapers and organizations getting the annual Michigan Manual from the Secretary of State office are helping to ease the state's financial crisis.

Copies of the information-packed Michigan Manual were in The Observer's mailbox.

Each copy of the manual carried a "35-cents postage due" message on the mailing box.

Ed McNamara, Livonia mayor who is a realist at heart, was heard to remark the other day: "If taxes go any higher in Livonia, I'm going to inquire whether a mayor must be a resident of the city to hold office."

Suburban Wayne County school bussing opponents will be making their way to Washington, D.C., next month to testify in favor of a constitutional amendment banning school bussing for integration purposes.

According to one Garden City woman planning to testify before the House Judiciary Committee - which plans hearings on the amendment - the suburban bussing fans are planning to get to the nation's capital - you guessed it - by bus.

R. T. Thompson writes

## State Police Post Site Brings Problems

The Michigan State Police command has decided to expand the Redford Post, the one located at Grand River and Seven Mile Road, and relocate the district headquarters, presumably in either the Plymouth or Northville area.

And therein lies a tale of political maneuvering with both communities making bids for the post headquarters.

Originally, the State Police sought permission to move into quarters at the Wayne County

Training School, but permission was denied.

So that meant the top brass would have to look around for a new site in one of the communities.

Despite the fact that the site search was supposed to be very secret, word spread around that the State Police were looking and just about as quickly representatives of the two communities began contacting officials in Lansing, telling of the choice sites available.

THERE ISN'T ANY question that the location of a State Police Post will be a big advantage for that area. It will be recalled that a crime lab has been located in Plymouth for the past several years.

Under the new plan, the lab would probably be moved into the new quarters for the simple reason that it already has outgrown the Plymouth building.

Of the two sites under consideration, one is located on Northville Road opposite the new Hilton Motel, being constructed to include the present Thunderbird Inn, and the second is on Seven Mile in Northville on state property adjacent to the state hospital.

Originally, the State Police plan was to locate a post in the area, but that thinking has been changed to a crime lab, district headquarters and a post. That's considerably more and is one of

the big reasons why there is so much activity on the part of Northville and Plymouth groups.

Those in back of the Hilton Motel project have more than a mile of interest in the district headquarters.

The new M-14 expressway, scheduled for construction beginning in 1974, crosses Northville Road just across the highway from the motel complex. It has been suggested that a State Police Post wouldn't hurt chances of getting an exit ramp off the expressway at that point, although the original state highway plans do not provide for one.

SUCH A NORTHVILLE Road ramp wouldn't hurt the motel business and would also provide for additional traffic going through the City of Plymouth. Under present highway plans, there isn't an exit ramp from Levan Road in Livonia to Sheldon Road on the outskirts of Plymouth.

This has disturbed the Plymouth Chamber of Commerce and business leaders, who fear a terrific loss of going through traffic that has been a business booster ever since the city was founded.

The C of C has been bugging the Highway Department for an exit ramp on Northville Road, and thus it is one of the backers of the movement to have the State Police headquarters located there.

In Northville, a citizens' group working through the Northville Area Economic Development Corp. has submitted a proposal for the police building.

It proposes to build a 27,000 square foot facility on Seven Mile Road on 10 acres of the State Hospital property ... land that has been declared surplus by the State Department of Mental Health.

A decision is expected in the near future.

WHEREVER THE facility is located, it will be a welcome addition. The presence of State Police vehicles and personnel is certain to discourage troublemakers.

Inasmuch as Hines Parkway runs through many Observerland communities and there have been threats of trouble during the summer months, it would seem that State Police in the area would check such incidents before they got off the ground.

Regardless of where the State Police decide to locate, it will be beneficial to all area communities. It would be nice to have the facility in Plymouth Township, and it could result in keeping business in that area that might be wiped out with an exit ramp.

But location in Northville wouldn't be that bad. There have been rumblings about lack of police protection in several of the townships...this could be a partial answer.

### Editorial & Opinion

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