COUNTY ASSESSOR REED TELLS WHY MULTNOMAH COUNTY TAXES HAVE INCREASED 1091 PER CENT IN LAST 20 YEARS

Public Indifference to Causes and Effects and Demands for More Elaborate Government Held Responsible for Condition—Problems Presented by 6 Per Cent Tax Limitation.

BY HENRY E. REED,
County Assessor.

(This is the first of a series of two articles prepared for The Sunday Oregonian by Mr. Reed. The concluding article will be printed next Sunday.)

A NUMBER of people with whom I have recently discussed the rapid rise in state and local taxes in Oregon have asked me to write this article, sketching present tendencies, the effect upon cost of government of acts of the legislative assembly, the operation of the 6 per cent tax limitation amendment to the constitution, and any other facts that might enable them to form an independent judgment of the situation. They are justly concerned at the mounting tax rate, which affects everyone, whether employer or employe, whether owner of office building or bungalow.

The city dweller finds the taxes on his home increased 20 per cent in a single year without any change in the assessed valuation; the farmer in the eastern and western sections of the county, struggling to make a living off a few acres, is confronted with the same condition; and it is the same with investors who put their money into office, store, apartment and residence property in expectation of a reasonable net return. With all of them two questions naturally arise: First—Can there be any relief from the burden resting upon real and personal property without impairing the functioning of government? Second—Since real and personal property now assessed are bearing all the taxes they can stand, can a more equitable system of taxation be formulated? In what follows an endeavor will be made to answer these questions.

Increase 1091 Per Cent.

In the past 20 years, upward of $100,000,000 has been levied in taxes upon the property of Multnomah county as a whole. It is to be admitted that expenses of government will normally increase from year to year, and with them taxes, unless relieved by revenues from other sources. But the public has reason to expect that there will be some sort of stability to the levies. This has not proved to be the case. In only five of the 20 years have the total taxes levied in the county shown a decrease. In the other 15 years there have been increases. In two years the increase was less than 5 per cent; in one year it was over 5 and less than 10 per cent; in five years it was over 10 and under 20 per cent; in four years it was over 20 and under 30 per cent; in one year it was over 30 and under 40 per cent; in two years it was over 40 and under 50 per cent. In the 20-year period the total taxes extended upon the county tax roll have increased 1091 per cent, while population has increased about 250 per cent.

In every part of the county the levies extended upon the 1919 roll were largely in excess of those extended upon the 1914 roll. In Portland the increase is 60 per cent; in Gresham 53 per cent; in Troutdale 120 per cent; in Park Rose school district 119 per cent; in Munson school district 65 per cent; in Gilbert school district 59 per cent; in Orient school district 98 per cent; in Scappoose school district 68 per cent; in Hillsview school district 86 per cent. And so it goes, whether one's investigations take him to the cities, the suburban home sections, or the farm and gardening spots in the hills.

Two Reasons Paramount.

At the outset of any discussion of government two things should be borne in mind, one being the attitude of the people toward the payment of taxes, and the other being the attitude of those upon whom the law fixes the responsibility for levying taxes and spending the money. For the people it can be said that the vast majority of them cheerfully support government, and are willing to pay their fair proportion of the taxes, only desiring to be assured that the levies will not be in excess of legitimate requirements and that the money paid into the treasury will be intelligently and profitably expended. The percentage of taxpayers who sit up nights scheming to beat the exchequer is small.

They are few, indeed, who, in rendering their accounts to government, care to qualify under that saying which John Locke of England, over 200 years ago attributed to a shipping master: "God forbid that a custom-house oath should be a sin." Therefore, it must be manifest that the people, even though they complain when they receive their tax bills, can be brought into hearty accord with government, if government in its turn will play an open game with them and let them understand fully what it is doing.

People Control Levies in End.

For the tax levying and spending officials it may be suggested that they are not so bad as they are reputed to be. The idea I have in mind was recently expressed by a New York writer, who said: "Office holders will spend as much as they believe is good for their political health; they must be credited with using much more discrimination and courage in denying requests than is generally evident among private citizens who feel but fear to express their opposition." The office holder may be a bit liberal, if not radical, when he is a candidate, but after he is elected the responsibilities of his position tame him to conservatism.

It is very true that when committees and push clubs demand of him this or that expenditure he will frequently be swayed by what he analyzes as public sentiment, but which is in reality nothing but government by clamor. He will often bow to the shifting and transitory opinions of the crowd, instead of forming his own judgment and following it. When all this is said, the fact remains that the matter of levies is very largely in the hands of the people themselves.

Tax Limitation Is Factor.

One of the aspects of the tax question which is continually bobbing up is the tax limitation amendment to the constitution, adopted in November, 1916. It was designed to limit the amount of taxes levied in any unit of government in any year to a specified increase over the levy of the preceding year unless the electors approved. While it has not done all that was promised for it when it was pending, it has been productive of good. At the special session of the legislature last January, a repealing measure to be referred to the people was defeated. Since then the Portland Municipal Service association has started a repeal movement. Commenting upon these attacks upon the enactment, one of the Portland newspapers recently said that until the clamor for repeal spread to those whose pocket books bear the burden of government it would not believe that public sentiment is weary of the law.

Here arises the question of who and what is a taxpayer. If by the sentence, quoted above it is meant that they only are taxpayers who pay their money to the tax collector and take receipts, the number of taxpayers must be relatively small.

All Pay Taxes.

Everyone pays taxes in some way or another. Nobody escapes taxes. The person who rides to and from his work on the street cars pays, through his fare, his portion of the taxes assessed against the Portland Railway, Light & Power company. The office building tenant pays through his rent his moiety of the taxes levied upon the capital represented by that building. The automobile owner who now pays the state license is a taxpayer, even though his name no longer appears on the tax roll. Taxes are a part of the cost of production or operation of every line of business and he who pays them to government must have them back with interest and profit.

One does not need to have his name on the tax roll in order to be a taxpayer. All that is necessary is for him is to be born into the world and the wheel begins to turn and keeps turning until he is laid away in a taxed coffin. People generally do not understand the incidence of taxation. If they did, they would not be so eager to vote taxes, regardless of merit, on the theory that the other fellow—the fellow whose name is on the tax roll—foots the entire bill.

Buck Passing Futile.

He who so happily passes the buck to others when he votes new taxes finds the buck passed back to him in his food, his rent, his clothing, his amusements, and all other things that make life in this world such a continued round of pleasure. There is no one so much in need of instruction on the subject of where taxes finally land as that familiar subject of the cartoonists—the comical little chap with the stubby mustache, rakishly set cap, and checked trousers, usually labeled "The Common People."

It has been said, also, that the experience of the past three years has not furnished a fair test of the 6 per cent limitation provision; that the times have been abnormal and the costs of everything very high, government included; that the cost of public service in every department has risen out of all proportion to the normal scale of increase, and the time will come when this cost will fall again.

In answer to this, it is to be conceded, of course, that the world war brought its train of abnormally high prices, and that these will in time recede in some degree. It should, however, be borne in mind, as the economists have pointed out, that the world has reached a new price level and that whatever may be the future movement of prices, we are not going back to the pre-war status.

Rise Begins 35 Years Ago.

Aside from war conditions and new price levels, the increased cost of government may be traced to other causes. It is because that long ago the popular concept of government as a big policeman standing on a street corner with a club in his hand and a gun in his hip pocket gave way to something entirely different and more elaborate and costly.

Cost of government began climbing throughout the world 35 years ago, when there was no war of any consequence, and when people had lulled themselves to sleep with the idea that the four-year conflict between the north and the south was the last word in wars, and that nothing like it could ever occur again. The upward trend in taxation is tersely stated in a report published in 1914 by a Nebraska revenue commission, from which I quote as follows:

> The increase of taxes shown in these tables is peculiar to Nebraska. Since about 1885 there has been a marked increase in state and local revenues throughout the country, and in fact throughout the western world. This growth has been especially marked during the last dozen years. On every hand the complaint is made of the increasing burden of taxation. For a quarter of a century writers on public finance have called attention, sometimes with alarm, to the growth of public expenditures. In the main, however, this increase is looked upon as a natural growth. The functions of government have been constantly widening; all the old services are continued; new ones are constantly being undertaken; and new and old are being conducted on a higher plane than formerly. Citizens are no longer content with mere room and convenience, but demand something of elegance, in their public buildings. They are no longer satisfied that their duty is performed toward the unfortunate wards of the state by providing them shelter and food, but feel impelled to make use of all the methods of modern science to remove their abnormalities and restore them when possible to the usual paths of life. Such expenditures, so far as they result in reformation and restoration to health, aside from humanitarian considerations, are properly held to be justified by their economic results. The same is true of the recent tremendous increase in expenditures for education. There is no intention of placing education on a merely utilitarian basis, but such expenditures are in large part directed toward the development of those physical and intellectual powers of youth upon which industrial prosperity must rest. They are therefore looked upon not merely as the satisfaction of a claim which the individual has upon society, but as an investment from which society secures a return in numerous ways. There is the same sort of justification for expenditures for the preservation of the public health and numerous other activities which directly or indirectly add to the producing power of the people.

Speech to Point.

In less elegant language, but very much to the point, a speaker at the New York state tax conference in 1915 said:

> We want every new government fad that anyone is willing to suggest. We are everlastingly frothing at the mouth over some new plan that some person with plenty of oratory or influence asserts to us is absolutely good, will make us either quickly rich or reduce the time, the effort, the danger or the drudgery of labor. The moment such a man comes along he has a ready audience and an enthusiastic reception. The workingman on the one hand is to have better wages and shorter hours and the capitalist is to get greater efficiency and increased dividends. All you need is to pass some statute, create some new theory of economics, enforce the theory at the other fellow's expense, and these results (higher taxes) will presently follow.

During the seven years I have been assessor of Multnomah county there have been times when I had hoped to see taxes strike something of an even keel. But I do not entertain any hopes along that line now. Expenses of state and local government are going up with no sign of a stop. I am merely wondering how long people are going to stand for the increasing burden that falls on property taxed under our ad valorem system and at what point in the ascent they will decide to sit in the game and ask for a new deal.

When they do take a hand it will not necessarily follow that government will be impaired or its cost reduced; it may mean that a different method will be devised for dividing up the burden. Time was in Oregon when people scrutinized the expenses of government and demanded to be shown.

Interest in Government Lags.

That time seems to be past, but it must come again with the back swing of the pendulum. There seems to be no general interest in the conduct of government, at least no organized interest, though there is individual grumbling when tax bills are rendered. At that there is less complaining in Portland with the tax rate at 36.8 mills than there was a dozen years ago with the rate at 14.2 mills. For years, the amount of taxes levied and the grand tax rate have steadily climbed without more than passing protest from any one. It may be if interest here to note the grand tax rate for Oregon at large and separately for Multnomah county on each assessment roll since 1906. This is calculated by dividing the assessed valuation for each year into the total levy of taxes and is as follows:

Year—	State at Large. Mills.	Multnomah County Mills.
1906	17.50	15.36
1907	14.95	13.84
1908	18.05	19.42
1909	17.21	17.48
1910	17.94	21.21
1911	21.61	23.40
1912	20.22	21.50
1913	24.19	26.20
1914	22.41	22.53
1915	23.62	24.67
1916	25.05	26.60
1917	24.83	27.70
1918	25.98	29.80
1919	.....	35.92

The state rate on the 1919 valuation has not been officially computed at this writing, but it will be higher than in 1918.

Meaning of Limitation Explained.

Coming back to the tax limitation provision of the constitution, I submit that this enactment separates itself into five major propositions, as follows:

1. That unless authorized by a vote of its electors, neither the state government, nor the government of any municipal subdivision of the state which is vested with the power to levy a tax, shall in any one year so exercise that power as to raise a greater amount of money for purposes other than the payment of bonded debt and interest thereon, than the amount raised for similar purposes in the preceding year, plus 6 per cent.

Voiding of Limitation Seen.

Here an interesting question presents itself. If the state may, with the approval of the electors under the referendum, authorize a continuing tax for market roads or any other purpose and exempt such tax from the operation of the tax limitation amendment, what is to hinder a county, city, port, school district or other governmental agency from doing the same thing with the approval of its voters? Nothing, that I can see. All governments, state and local, are subject to the tax limitation, or none are. The tax limitation applies to all of them in the same way and in the same degree. What is permitted to one is permitted to all; what is forbidden to one is forbidden to all.

The fact is that the voters of the city of Portland have, since the adoption of the tax limitation amendment, so amended the city charter as to authorize continuing levies. On June 4, 1917, by the adoption of what is now section 291 of the charter, the voters authorized a vote of .4 mill for parks and playgrounds. On November 12, 1919, by the adoption of section 190-A of the charter they authorized an additional tax of 3 mills for the general fund.

Both of these taxes are annual levies and both are expressly exempted from the tax-limitation amendment. They are in the same class with the continuing taxes for market roads voted by the state at large, with this exception, that the market-roads tax is a statute and not a constitutional provision, while the city taxes are charter provisions and not ordinances. The city is proceeding upon the theory that the 3-mill levy authorized November 12, 1919, is for one year only and that if it desires to collect this tax upon the 1920 valuation it must again go to the people for a further mandate. But if the people of Oregon have acted legally in voting a continuing tax for market roads, then the people of Portland have acted legally in voting a continuing tax for the general fund and the city government will not be compelled to appeal again to the people for authority to levy the additional 3 mills.

Impositions Fall Upon Counties.

A little further on I will present some more facts touching the relation between the tax limitation and county levies, but for the present will call attention to acts passed by the legislature authorizing or directing tax levies or expense that will call for levies in local government but which come within the scope of the tax-limitation provision. To get the appropriate angle on this aspect of the subject it should be remembered that when the tax limitation amendment became effective the base for all future levies, except for the payment of bonded debt and interest thereon, became the money levied upon the 1915 valuation for purposes other than the payment of bonded debt and interest.

The constitutional provision is rigid. It makes no allowance for expense foisted upon a county, school district or other unit of government without its knowledge or consent, as is frequently done by the legislature. It takes not into account the fact whether or not the year 1915 might or might not have been a normal or abnormal year.

Measures Are Compiled.

Looking over the 1917 session laws, but not attempting to make a complete compilation, I find the following measures of the kind just described, adding expense to local government:

2. That when a levy above 6 per cent limitation is authorized by the electors concerned, it is good for one year only, and is not a continuing levy.

3. That when a levy above the 6 per cent limitation is authorized in any year, such excess must be excluded in determining the base for the following and subsequent years.

4. That any levy made contrary to the constitutional amendment is void, but the issue is between the authority making the levy and its taxpayers.

5. That all levies for the payment of bonded debt and the interest thereon are excluded from the limitation.

New Laws Confirm Act.

The foregoing is a reasonable interpretation of the tax limitation provision. The legislature seems to have adopted similar construction when in 1917 it passed the law (Chapter 150) defining the manner in which elections to exceed the 6 per cent limit may be called and held. In cases where it is deemed necessary to increase state taxes above the 6 per cent, the enforcement law (Chapter 150) specifically provides that the state tax commission shall take the initial steps for an election by filing a proper certificate with the secretary of state. The state tax commission did, indeed, follow this procedure in its certificate filed September 17, 1918, wherein it recited that it was "necessary to levy an amount of state taxes for the fiscal year 1919 larger by $940,000 than the amount limited by the constitution." It is worthy of note that the tax commission asked for the increase for one year and not for an indefinite period. The proposed tax was voted down at the state election in November, 1918.

Acts May Be Questioned.

If the tax limitation amendment means what it appears to say, and if Chapter 150, Laws of 1917, supplements and enforces it, then some of the enactments of the legislature since the amendment went into effect are open to serious question. In what follows two things should be remembered: First, that any increase in any year above the 6 per cent limit is for one year only; second, that when the limitation amendment became effective in December, 1916, it automatically fixed in every taxing district as the initial base for all subsequent levies, the amount of money raised upon the 1915 valuation for purposes other than the payment of bonded debt and interest thereon; third, that under the initiative and referendum provisions of the constitution the people, through the referendum, may pass upon all acts of the legislature.

At the 1917 session the legislature, after wrestling long with the newly-born tax limitation, passed and referred to the people an act authorizing the expenditure of $400,000 for the building of a new penitentiary. It was provided that the money was to be raised by taxation, $100,000 each year for four years, and the proposed expenditure was excluded from the tax limitation provision. Now here is the problem.

State Faces Problem.

If an act authorizing a tax for a series of years, or an indefinite number of years, is excluded from the operation of the tax limitation amendment, is referred to the people and by them adopted, is the tax so voted a continuing tax for a series of years or for an indefinite period, as the case may be, or is it for one year only? If it may be effective for a series of years or for an indefinite period, what is the meaning of that phrase in the 6 per cent limitation amendment which says that no taxing authority, the state included, may in any year so exercise its power of taxation as to raise for purposes other than the payment of bonded debt and interest thereon a larger amount than the amount similarly levied in the preceding year, plus 6 per cent? To what extent is the state controlled by Chapter 150, Laws of 1917? Granting for the sake of argument that continuing levies may not be authorized under the limitation amendment but may be under the initiative and referendum, what becomes of the 6 per cent limitation amendment? These questions could not arise under the penitentiary act, as it was defeated by the people in June, 1917, but they can arise with respect to acts submitted by the legislature of 1919 and adopted on June 3, 1919, and acts submitted by the special session of 1920, and to be voted upon at the election on May 21.

1919 Laws Present Puzzle.

The acts submitted by the 1919 regular session and approved by the people June 3, 1919, which authorize annual taxes for indefinite periods, and excludes them from the tax limitation amendment are those providing for two-tenths of a mill for soldiers, sailors and marines, and one mill for market roads. The market road bill excludes also from the limitation any tax levy made by counties for market roads to match a probable apportionment from the state market road fund.

In both these cases, the first levy was made upon the 1919 valuation, and the second will in due course be made upon the 1920 valuation. The levies authorized by the 1920 special session, and to be voted upon May 21, all of which are for more than one year, and all excluded from the 6 per cent limitation, are the following: (1) Tax for the University of Oregon, State Normal school and Oregon Agricultural college; (2) additional tax for soldiers, sailors and marines; (3) two-mill tax for elementary schools.

Directing Crook, Lake, Yamhill, Marion, Polk, Lane, Columbia and Washington counties to pay bounties for jackrabbits, sage rats, gophers, moles and gray digger squirrels and to levy a tax therefor. (Chapters 2, 4, 65, 109, 119, 300.)

Requiring school districts having 20,000 or more children of school age to establish and maintain kindergartens, and limiting the expense for this purpose to $10,000 per year for the first five years and to $20,000 per year for the second five years. (Chapter 25.)

Authorizing boards of county commissioners to establish and maintain tuberculosis hospitals and to levy a tax therefor. (Chapter 82.)

Authorizing county courts to establish interstate ferries or to contribute to the maintenance of such ferries already established. (Chapter 159.)

Providing medical treatment for sick and deformed indigent children, and authorizing county courts to pay the expenses thereof. (Chapter 145.)

Authorizing counties of 75,000 population and over to levy a tax not exceeding 15-100 of a mill for rose festivals. (Chapter 155.)

Authorizing school districts having 20,000 or more children to establish and maintain parental schools. (Chapter 242.)

Authorizing county courts to erect and maintain public market buildings on public property. (Chapter 251.)

Authorizing sheriffs to take finger prints of convicted persons and providing for the establishment of a central office for finger prints in Multnomah county. (Chapter 286.)

Providing for the examination and commitment of feeble-minded or criminally-inclined persons over 5 years of age, for their conveyance to the institution for feeble-minded by a trained attendant, and for the payment of their maintenance by the county from which they were committed. (Chapter 354.)

Calling a special session. (Chapter 422.)

In the 1919 session laws are to be found the following:

Adding $1000 to the annual salary of circuit judges in counties of 100,000 population, the same to be paid by the county, whereas, in all other cases salaries of circuit judges are paid by the state. (Chapter 67.)

Authorizing all counties to levy a tax for the purpose of paying bounties for gophers, moles, gray digger squirrels and other rodents. (Chapter 74.)

Making it unlawful to pay a teacher in a public school less than $75 per month. (Chapter 79.)

Authorizing each county to spend $5000 for a memorial arch in honor of its men who fell in the world war. (Chapter 99.)

Authorizing counties to create a revolving fund of $500 to be used for the extermination of ground squirrels and other noxious rodents. (Chapter 127.)

Authorizing counties of 100,000 population to increase the library levy from one-half mill to 1 mill. (Chapter 135.)

Increasing the county school fund to at least $10 for each person of school age enumerated. (Chapter 156.)

Directing the board of county commissioners in counties of 100,000 population and over to appoint a supervisor of election in each election precinct. (Chapter 263.)

Creating a domestic relations court in counties of 200,000 population and over. (Chapter 296.)

Providing for the appointment of part-time schools and classes in school districts. (Chapter 324.)

Authorizing county courts to pave certain streets in towns of 2500 population and less. (Chapter 326.)

Authorizing Multnomah county to issue bonds for the building of bridges across the Willamette river. (Chapter 338.) The county never has heretofore built bridges across the Willamette river, that function being exercised by the city of Portland.

Authorizing counties to levy not to exceed a 1-mill tax for libraries. (Chapter 357.)

Authorizing counties to spend money in co-operation with the state agricultural college in the extemination of predatory animals. (Chapter 366.)

Creating the office of county meat and herd inspector in all counties except Tillamook, which already had such an office. (Chapter 383.)

Authorizing a special state election. (Chapter 429.)

List Illustrates Tendency.

The foregoing list by no means exhausts all the state laws increasing local expenditure, but it is sufficiently comprehensive to illustrate the legislative tendency. Many of these laws are of local origin and interest, that is, they affect one or more counties, but are given a state-wide range and application. Many of the laws are mandatory, in which case the counties or the school districts which are chiefly concerned by these legislative enactments, have no alternative but to levy the tax.

Others are directory, but this does not prevent interested groups from rushing county courts and boards of school directors at budget making time, pointing to the authority for a new tax granted by the legislature, and demanding in the name of some cause or other that the tax be forthwith levied. Is it any wonder that county and school governments watch with concern the proceedings of each succeeding session of the legislature, not knowing that the year ahead of them may bring an election which they have not expected and the cost of which they have not provided for in their budgets, not knowing that a score of new expenses may be added to their costs, but sure that the new expense will be included within the tax limitation?

Is it any wonder that county commissioners and school boards take no chance of running out of funds, or incurring the odium and expense of a special election, but play safe by levying taxes up to the full limit allowed by the constitution? When this is the condition of affairs, when this is the system, can it be fairly charged that tax levying bodies are constantly searching for excuses to levy new taxes, or are they merely registering the will of the legislature and acting in conformity with state laws whose operation they are powerless to escape?

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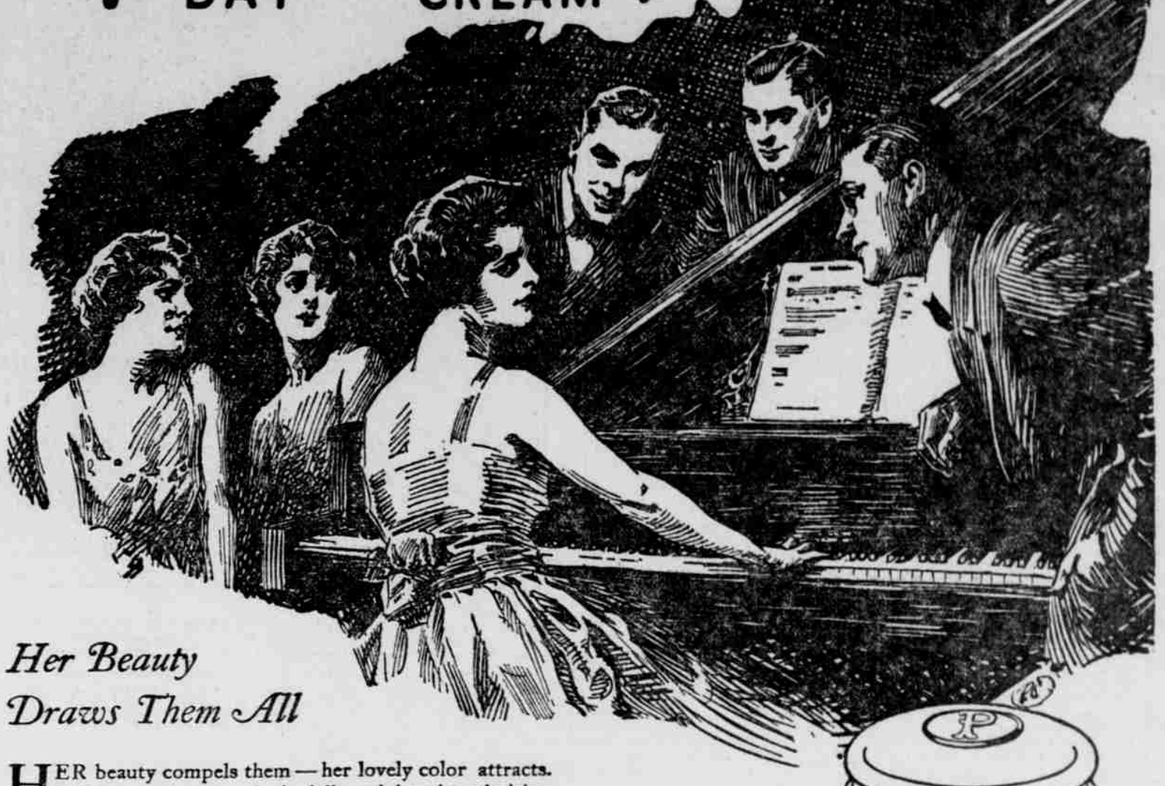

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Tuesday night a big delegation of local White Shriners attended a meeting of the Eastern Star in Tenino in the interests of the new Centralia organization.

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