Lansing next stop for assisted suicide issue

staft writer

The Oakland County Prosecutor's
decision not to appeal the dismissal
of murder charge against Dr., sche
Keworkian is an acknowledgement
that Michigan law does not support
his position, according to a West
Bloomified lawyer who belped defend the inventor of the so-called suiride machine.

A. Schwartz, "it's improper for him (Prosecutor Richard Thompson) to prosecute a law that's not on the books.
"He knows he's suffered a defeat. To appeal the judge's decision would be foolish."

Geoffrey N. Fleger, another West Bloomfield lawyer on the defense team, said Thompson should also drop his civil suit against the 62-year-old Kevorkian.

Thompson has been told there's no criminal law to justify his position and it's incumbent upon him to drop civil action. Fieger said. To pursue civil charges — and waste hundreds of thousands of dollars — is "outrageous."

SCHWARTZ AND FIEGER made their comments Friday, within hours after Thompson beld a press confer-ence to say he would not appeal the decision by Clarkston District Judge

Gerald E. McNally.

However, the prosecutor emphasized he will continue to press historial actival action against Kevorkian. That suit — scheduled to be begin Jan. 4 before Oakland Circuit Judge Alice L. Gilbert — includes an injunction probibiting Kevorkian from using his suicide machine on any other patients.

against Kevorkian, the prosecutor asserted. But the issue of assisted suicides is an issue that should be addressed by the state Legislature. McNally also said the Legislature should debale and act on assisting suicides. After two days of testimony he dismissed charges Thursday against Kevorkian, saying existing law is vague and inadequate. "Assisting suicides its simply not litegal under existing Michigan law," McNally ruled. "Although the Legislature may want to address that is sue."

lature may want to address that issue."
Thompson said he has been
advised that State Rep. Nick
Claramitaro, D-Roseville, is already
drafting legislation to introduce after the first of the year to outlaw assisted suicides.
Such legislation could become law
within six months, Thompson said, "I
implore the Legislature to quickly
move to clarify the law for prosecutors and the people. This state has an
interest in preserving life.
"NOW IS THE lime for responsible physicians and others to dispasstonately discuss these profo ind issues."

In the meantime, Thompson said he will continue to view assisted suicides as murder and investigate each one on an individual basis.

"There's no law against suicide in Michigan," but the emphasized. "But it's different for the person who assists, but because the murder charges were dismissed by a district judge does not make it legal."

Thompson said he favors law make assisted suicides illegal, rather than legislation to regulate their admirated suicides illegal, rather than legislation to regulate their admirated proposed of the proposed of the suicides illegal, rather than legislation to regulate their admirated proposed of the suicides illegal, rather than legislation to regulate their admirated in the debate by right-lostific groups and the Hembock Society (a national organization advocating so-called "death with dignity"), "said not be reported to the suicides and the su

eminently suited to consider the cosensus of society," Thompson said.

Comp commission head defends salary raises for Lansing officials

Farmington Hills lawyer Burton H. Schwartz is definitely in a minori-

Farmington Hills lawyer Burton H. Schwartz is definitely in aminority. He's one of the heavily outnumbered people in Michigan—acrording to newspaper accounts — who believes the governor and other state officials are underpaid. Schwartz, who has a law office state officials are underpaid. Schwartz, who has a law office in Farmington Hills and a home in West Bloomfield, is chairman of the State Officers Compensation Commission which Tuesday gave a 13 percent pay increase to the governor and the percent pay increase to the governor of the percent pay increase to the decision of the outer pay hike. The outery inn't expected to dicdown until February, the deadline by which legislators must act to reject the pay hikes. Both houses of the Legislature must vote by a two-thirds majority to reject the proposed pay hike. If the Legislature doesn't act, the increases go into effect automatically. "We got a lot of feedback about the raites," Schwartz said Friday. People — including personal acquisintances and law clients as well as people calling talk radio shows—seem outraged. Even governor-elect John Engler, who gets a \$13.810 pay hike before taking office, called the increases principle in light of the state's pending economic difficulties that may require state layoffs.

STATE REP, Lyn Bankes, R-Livonia, says she'il give her raise to char-ity, and Rep. Gordon Sparks, R-Troy, says he'd vote against the raises if

senators will go from the current \$45,450 to \$52,800 in 1992.
Legislators also get a more bountful mileage allowance. Instead of being able to get mileage for one cound-tip to Lansing per week, they will get mileage for every trip actually taken, providing they keep an accurate log.
Lawmakers will also get mileage for miles driven within their districts, something previously not allowed.
Even with the pay hikes and more

lowed.
Even with the pay hikes and more liberal expense allowances, state officials are underpaid, insists Schwartz, whose background includes about three years with the internal Revenue Service and years of the lawyer.

cludes about three years with the internal Revenue Service and years of
the service and years
the se

Most of the uproar over the pay hikes is rooted in the general belief that most state officials are inept or simply don't do anything constructive. because of

absenteeism or

indolence. - Burton Schwartz

But even if they were, Schwartz said the job of the commission is to set compensation for the position, not the person holding it.

If Donald Duck were elected governor, the commission would still have to gear compensation for the chief executive of a high-tech industrial state with more than 10 million

If the electorate doesn't think su-preme court justices (whose salary will jump from the current \$108,610 to \$120,000 in two years) deserve the pay, it should elect new people, pay, it should Schwartz sald.

The 7-member SOCC voted 5 - 1 in favor of the new compensation. Voting with the majority was Marvin C. Daltch, an attorney who practices in Southfield and lives in Birmingham.

Schwartz didn't know that much about the commission when he agreed to serve on it three years ago. He had never met Gov. James Blan-

cahrd and considered himself to be a nonpolitical, independent voter when he volunteered his services.

BUT AFTER GETTING into the job, Schwartz said that if asked, he would serve another term. That's highly unlikely, however, because the 1958 law establishing the commission limits the tenure to one four-

the 1988 law establishing the commission limits the tenure to one four-year term.

Schwart's term ends next year.

Ironically, the commission was calabilished because of the difficulty associated with pay, hikes for state officials and the public outery suasily resulting from it.

Some people thought the Legislature — which then voted on its own pay hike — was too generous.

Actually legislators were afraid of the property of the pay hit is a state of the property of the property of the pay hit is still personation. Schwart said "Whenever they OK'd pay hikes, they always voted on the low side because they were afraid people would throw them out of office."

Some sentiment against the large pay hikes still exists, according to some legislators, although the issue is wide open for "grandstanding."

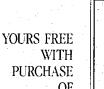
"A lot of legislators say they will well they will never get the chance," said State Rep. Tom Scott, DeFlait.

"State Sen. Jack Faxon, D-Faith and the pay his said state of the commission should be viewed in context. "SOC was established because the Legislature wanted an objective analysis," he said.









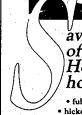
STRANDS This exquisite silk scarf is all yours

MIKIMOTO

our select Mikimoto strands.

Princess length, \$1100.

Matinee length, \$1400.



CHONEYBAKED

avor the flavor HoneyBaked holiday!

fully cooked and ready to serve.

• hickory-smoked for gourmet flavor. • hams always available. order ahead to guarantee specific size.

Serve The Traditional Holiday Ham!

Available Only At These Nine HoneyBaked Ham Co. Store Locations In Michigan

DETROIT (313) 862-8622 ROSEVILLE (313) 775-7900 TROY (313) 689-4890 LIVONIA (313) 525-2994 DEARBORN HEIGHTS (313) 274-9600

TAYLOR (313) 374-2600 BIRMINGHAM (313) 540-0404 WEST BLOOMFIELD (313) 851-2400 GRAND RAPIDS (616) 957-3430

xtended Holiday Hours Monday - Saturday 9 - 6

Open Sunday Dec. 23rd

