

Liability bill leaves firefighters hot under collar

Center helps Hispanic residents

BY TIM RICHARD
STAFF WRITER

Firefighters will "barbecue" legislators who voted against a bill allowing more lawsuits, predicted a senator who lost the fight.

"Treat firemen and policemen exactly the same," said Sen. Chris Dingell, D-Trenton, during debate on a bill to repeal the so-called "firefighter's rule" against allowing suits by police and firefighters injured on the job.

"How dare you boil it down to that!" replied an angry Sen. Mike Bouchard, D-Birmingham, a former police officer. "I feel very strongly that, because men and women wear a uniform, it should not preclude them from having the same rights as other people," Bouchard said.

But Bouchard added that idea lacks votes in both the House and Senate and wouldn't be signed by the governor.

The sharp exchange occurred June 10 as the Senate passed House Bill 4044 modifying the "firefighter's rule" as it applies to police officers.

Based on court cases, the rule bars firefighters and police officers from suing for injuries suffered in the course of official duty as the result of the civilian's negligence.

For example, suppose a police officer transporting a prisoner is hit from behind by a drunk driver. The prisoner could sue the drunk driver, but the officer couldn't.

Or suppose a firefighter is injured fighting a blaze set by an arsonist, or even by a person who negligently leaves some-

thing on a stove. The firefighter couldn't sue.

The theory is that risks are part of the job.

This year, police and fire unions and lobbies are seeking statutory repeal of the court-made rule. In the Senate, they got half a loaf — police only. Dingell was on the short end of a 35-1 vote as the Senate passed its version.

The House had included both fire and police. Dingell attempted to include firefighters but lost on a 15-21 nearly party line vote. Here is how senators voted on the Dingell amendment:

YES — 14 Democrats and one Republican, John Schwarz of Battle Creek.

NO — 21 Republicans.

EXCUSED — Democrat Gary Peters of Bloomfield Township.

HB 4044 goes back to the House for concurrence in Senate amendments. If the House doesn't concur, the bill will go to a conference committee.

Opponents included the Michigan Insurance Federation and National Federation of Independent Business. They argued:

■ Public safety officers already are covered by worker's compensation.

■ The bill would have a "chilling effect" on citizens' willingness to call a public safety agency for fear of liability.

■ Police and firefighters aren't invited guests to a property, and the owner can't be held to the same standard of care for safe

premises.

■ The bill, supported by the Michigan Trial Lawyers Association, could unleash a flood of lawsuits, as well as push up insurance rates.

The public safety groups argued that worker's comp offers only a percentage of an officer's salary and doesn't offer equivalent pay if the officer suffers permanent disability.

Moreover, they asked, if insurance rate will rise once HB 4044 is passed, why didn't rates go down after the court decisions of 1987 and 1992?

Dingell charged that "one of the police unions sold out everybody else — the firemen — in order to solve just the problems of the police force."

El Centro, a bilingual, bicultural, ethnic-sensitive mental health program serving Oakland County's Hispanic community seeks volunteers who would like to either teach English, be a mentor/tutor, or help with daily activities.

El Centro offers a variety of services, including assessment and referral, outpatient treatment for children, adults and families, crisis intervention, case management and prevention and community involvement programs.

For more information on programs or volunteering, contact El Centro at (248) 858-6320.

Cancer Society plans fall information campaign

The American Cancer Society, Great Lakes Division is launching a statewide education campaign designed to reach women in Michigan with potentially life-saving breast cancer early detection information.

The program, "Tell-A-Friend Tuesday," will take place Oct. 6 when an anticipated 20,000 volunteers will each make phone calls to at least five friends and family members encouraging them to get their annual mammograms in accordance with American Cancer Society breast cancer screening guidelines.

More than 100,000 women will be reached with important breast health information in a single 24-hour period, making this the largest initiative of its kind ever conducted.

The "Tell-A-Friend Tuesday" program is based on research that shows that roughly 25 per-

cent of all women who get mammograms do so because a friend encouraged them.

The American Cancer Society is now recruiting women and men to serve as callers.

American Cancer Society guidelines call for annual mammography, annual clinical exam and monthly breast self-exam for all women age 40 and older.

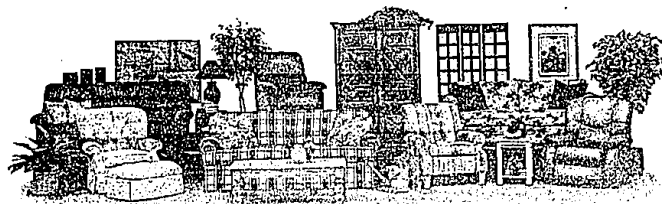
Statistics show that compliance to American Cancer Society breast cancer screening guidelines in the state is nowhere near where it needs to be. In Michigan, 65.2 percent of age-qualified women received mammograms in 1996.

The American Cancer Society provides the information and caller kits to all participants.

More information can be obtained by calling any local American Cancer Society office, or 800-ACS-2345.

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