

# Legislators tied up on assisted suicide

**BY TIM RICHARD**  
**STAFF WRITER**

Assisted suicide will continue to be legal in Michigan as state lawmakers gridlocked again on a life-and-death issue.

A House subcommittee on death and dying this week took no action on the Senate-passed bill to make assisted suicide a four-year felony. That bill was designed to "put Kevorkian's lights out," in the words of its sponsor, Sen. Fred Dillingham, R-Fowlerville.

With Kevorkian, a retired Royal Oak pathologist who has assisted five suicides in recent years, sitting silently in the audience, a panel headed by Rep. Lyn Jondahl, D-Okemos, decided to move two other bills:

- House Bill 5415, by Ted Wallace, D-Detroit, to regulate assisted suicide. An adult would have to make two requests, receive mental counseling, have a written request witnessed by two unrelated adults and wait 30 days. The attending physician must have been seeing the patient for at least six months. Violation would be a five-year, \$10,000 felony — harsher than Dillingham's bill.
- House Bill 4501, by Tom Power, R-Traverse City, to set up a two-year study commission of legal, medical and ethical experts to make recommendations to the Legislature. The Wallace bill would "sunset" six months after the commission finished work.

**'A stalemate'**

To Dillingham, the Wallace bill is unacceptable. "There's no compromise in that proposal at all. We're at a stalemate," said the Senate's most vocal pro-life spokesman.

"We have two options," he said. "Plan A is to substitute my bill for Wallace's on the House floor. Plan B is, if we can't substitute, there will be a move for discharge" — that is, to force Dillingham's bill out of the House Judiciary Committee.

"We've never had the votes in the House (Judiciary) committee. But we've done several questionnaires. We have more than ample votes to win on the House floor," Dillingham said.

The House was adjourned until Nov. 5, two days after the election. Jondahl said he intends to have the Power-Wallace bills ready for full House action in that session.

**'Draconian' bill**

Michael Alan Schwartz, a

Southfield attorney representing Kevorkian, last week denounced Dillingham's bill as "draconian, extremist," sought by "a small number of people who raise a hysterical noise," an apparent reference to Right to Life.

"Study? Who's to study it?" Schwartz said of Power's bill. "Only one person has the technical skill in this field — Dr. Kevorkian."

Schwartz blamed the "prosecutions of Kevorkian and effort to ban assisted suicides on Gov. John Engler and Oakland County Prosecutor Richard Thompson. "I'm a registered Republican, and I still say that," Schwartz said.

Leaving early were Richard Bandstra, R-Grand Rapids, and Joseph Palamara, D-Wyandotte, both of whom appeared unhappy with the Wallace bill.

**It's 'euthanasia'**

Right to Life lobbyist Ed Rivet afterwards denounced the Wallace bill as "unconstitutional. Why do I have to meet these criteria to exercise my supposed right to kill myself?" he asked rhetorically.

RFL has opposed assisted suicide because it can lead to euthanasia (mercy killing). "Constitutionally, you cannot prohibit its (assisted suicide) being expanded to euthanasia and being applied to an incompetent person," Rivet said.

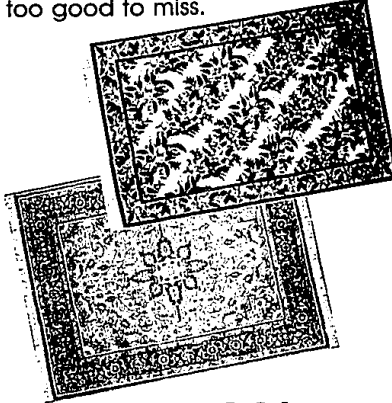
David Hayter, Westland resident representing Club of Life, told the panel euthanasia begins with killing the ailing, then spreads to the unproductive, the ideologically unwanted and finally a race — as in Hitler's Germany.

Asked by Power if he didn't distinguish between euthanasia (without the patient's consent) and assisted suicide, Hayter replied: "A life not worthy to be lived — that's where it starts."

Several handicapped persons argued against the Wallace bill, saying patients were actually seeking compassion and relief from pain.

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