

# Death penalty amendment is 'narrowest' yet

BY TIM RICHARD  
STAFF WRITER

One thing is different about the latest in a 27-year series of efforts to bring the death penalty to Michigan.

"Mine is the narrowest proposal yet," said Rep. Chuck Perricone, R-Kalamazoo, as the House Judiciary Committee opened hearings July 13 on his HJR N, a proposed constitutional amendment.

The freshman lawmaker's plan would allow prosecutors to seek the death penalty in first-degree murder cases under these circum-

stances: (1) two or more murders, (2) murder committed in a terrorist act "intended to intimidate or coerce a civilian population," or (3) an attempt to influence governmental policy "by assassination or kidnapping."

The panel's meeting was held up for 40 minutes for lack of a quorum. Absentees included Reps. Gerald Law, R-Plymouth, and James Ryan, R-Rodford.

Perricone has 13 Republican and one Democratic co-sponsors. Committee Democrats revealed their hostility to the proposal.

Perricone said he rejected ef-

forts by many fellow Republicans to include killing of a police or corrections officer. Nor does he want to include "crimes of passion and gas station holdups where it (killing) wasn't intended."

He said arguments over whether execution deters crime and is racist aren't pertinent because "we have an unusually high murder rate" for which execution in some cases is appropriate.

Rep. Alan Crosey, R-DeWitt, advised Democrats to work on Perricone's compromise because if lawmakers fail to put it on the 1996 ballot, "this could go to the

petition process, and if it does, it's not going to be as narrow."

A two-thirds vote of each chamber is needed to put the constitutional amendment on the ballot for voters in 1996. Although Gov. John Engler opposes the death penalty, he has no power to veto the resolution.

Democrats such as Rep. Ted Wallace of Detroit denounced the plan as racist, with blacks being executed in greater proportions than whites.

"I find it revolting," said freshman Rep. Laura Baird, D-Okemos. "It's an immature social

impulse to seek revenge."

Said Rep. Mary Schroer, D-Ann Arbor: "It's odd that you (Republicans) trust a jury (in death penalty cases), but for weeks I've heard you don't trust a jury in product liability and malpractice cases." She referred to

GOP efforts to limit jury awards

in civil suits for non-economic "pain and suffering" damages. Michigan was the first jurisdiction in the English-speaking world to ban the death penalty after the wrong man was hanged in the 19th century.

## NOTICE OF PUBLIC HEARING AND MEETINGS SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

Notice is hereby given that a public hearing and meetings have been scheduled to receive comments on a proposed reorganization of all SMART fixed route lineal services in suburban Wayne, Oakland and Macomb counties. The changes in lineal service may include a total elimination of certain routes. For a complete set of changes call (313) 843-4515.

At the meetings, interested citizens will be afforded the opportunity to review proposed changes, ask questions and offer alternatives. At the public hearing, formal comments will be documented for the official record. Written comments on proposed changes will be accepted through August 22, 1995.

The meetings and hearing will be held on the dates, times and locations listed below:

Meetings	Wayne County "Yack" Ice Area	24th Sycamore
Tuesday, July 18, 1995		Wayne, MI
1:28 P.M.		6000 Middlebelt
Tuesday, July 18, 1995	Garden City Hall Council Chambers	Garden City, MI
7:50 P.M.		2307 E. New Mile
Wednesday, July 19, 1995	Warren Parks & Recreation	Warren, MI
1:28 P.M.		11815 Sycamore east of Gratiot
Wednesday, July 19, 1995	Roseville Recreation Department	Roseville, MI
7:50 P.M.		34000 Civic Center Drive
Thursday, July 20, 1995	City of Southfield Senior Center Community Room	Southfield, MI
1:28 P.M.		84 E. Pike, at Pike & White Track
Thursday, July 20, 1995	City of Pontiac Public Library Downtown Auditorium	Pontiac, MI
7:50 P.M.		

Public Hearing  
Thursday, August 17, 1995  
12:00 Noon

SMART Administrative Offices  
1st National Building, Suite 550  
645 Woodward  
Detroit, MI

The meetings and hearing are being held in conjunction with the Southeastern Michigan Council of Governments (SEMCOG).

Alternate forms of communication will be made available upon request for people with disabilities as an interpreter for the hearing impaired will be made available if a request is received 10 days prior to a meeting or the public hearing.

Written comments should be sent to: SMART Public Hearing, 645 Woodward Avenue, Suite 550, Detroit, MI 48226

Publication: July 17, 1995

# Engler veto cuts court funding

Capitol capsule:

Gov. John Engler heated up the debate over trial court reorganization by vetoing \$25 million in aid to outstate courts, much to the disappointment of western Michigan politicians.

"The governor's veto is unfortunate. . . . We want immediate action on restructuring," said Sam McGuire, executive director of the Michigan Association of Counties. MAC has a suit before the state Supreme Court that would force the state to pay court costs of trial courts in the 82 outstate counties.

In 1980 the Legislature took the first step by picking up the costs of Wayne County and Detroit courts but never took the second step until this year when lawmakers voted an extra \$25 million for courts.

But Engler vetoed that line item, saying he wants "major near-term decisions" on trial court reorganization as well as on "the appropriate number, location and jurisdiction of trial judges. Until these decisions are made, I cannot support additional funds for local courts."

While Engler has yet to be specific on what kind of court reorganization he favors, leaders of the Sixty Bar are proposing a single "trial court" to replace circuit, Detroit Recorder's, probate and district courts. A joint legislative committee is studying restructuring.

But Engler praised the Legislature for voting a separate lump-sum budget for the judiciary instead of a series of line items.

## Indian aid saved

Engler didn't veto the Indian tuition waiver program, as he had threatened, but announced he doesn't want it in next year's budget.

"A veto would merely deprive public colleges and universities of reimbursements for waivers granted in prior years," he said. "I will not support further appropriations to reimburse (universities and colleges) for tuition waived for Native American students (in the future)."

A foe of special line items and complex budgets, the governor wants all aid programs lumped into a single account. For example, Engler vetoed a \$250,000 line item for the Nursing Opportunity Program "because it is a new program that focuses financial aid on a subset of students and a single occupation rather than providing funds for all students that are in need."

Jeff Parker, head of the Bay Mills Indian Community and chair of the Michigan Inter-Tribal Council, asked Engler to reconsider because "we have a unique historical relationship with the state as a result of treaties. The tuition waiver is the result of a 1934 agreement giving Native American land to form the state of Michigan in exchange for certain rights . . . including tuition."

The higher education budget provides a 3 percent cost-of-living hike for all 16 universities and a handful of special adjustments.

## Has your Mom had a mammogram?

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