

CS/H 395 GENETIC INFORMATION PRIVACY ACT

April 11, 1997

HOUSE EXECUTIVE MESSAGE NO. 77

I have this day VETOED and am returning HOUSE BUSINESS AND INDUSTRY COMMITTEE SUBSTITUTE FOR HOUSE BILL 395, as amended, with certificate of correction, enacted by the Forty-Third Legislature, First Session, 1997.

This legislation dealt with the collection of genetic information, including DNA material, without a person's consent. This bill conflicts with Senate Bill 114, requiring all felony offenders to produce DNA samples, because this bill allows collection without consent during "criminal investigations." Senate Bill 114 is a more favorable bill which will allow identification of dangerous individuals. Therefore, I am vetoing this bill and will not risk voiding Senate Bill 114 through the rules of statutory construction, and I have signed Senate Bill 114 into law.

H 403 MAGISTRATE COURT MEDIATION

April 11, 1997

HOUSE EXECUTIVE MESSAGE NO. 78

I have this day VETOED and am returning HOUSE BILL 403, as amended, enacted by the Forty-Third Legislature, First Session, 1997.

This legislation would impose a five dollar fee on all civil actions filed in magistrate courts to fund voluntary mediation programs. This fee is in addition to other magistrate court fees which today total almost \$40 per civil docket filed.

Our citizens still view our magistrate courts as "the people's court" and accordingly they expect--and deserve--to have their case heard before a judge, not a mediator.

While the caseloads of many of our magistrate courts continue to increase significantly, this administration encourages judicial administrators to explore alternative means to caseload management other than mediation based upon fee increases.