



## TESTIMONY RE: SENATE BILL NO. 923

TUESDAY, MAY 13, 2014

### SENATE JUDICIARY COMMITTEE

Good afternoon, Senator Jones. I am thankful to you and your colleagues for the opportunity to speak on behalf of the 27 YMCAs in more than 60 communities across the state in support of the amendments to PA 386 as outlined in Senate Bill 923. My name is Daryl Sieplinga and I work for the Y's National Organization, the YMCA of the USA, supporting the YMCAs in Michigan. I am a resident of your District, Senator Jones, in Barry County.

There are two key provisions in the bill important to YMCA leaders and volunteers – the clarification to add camping activities to the list as well as the provision to increase protection relative to negligence. These amendments provide the protection that more than 19,000 YMCA staff and volunteer leaders need as we seek to serve the nearly 486,000 members and program participants across the state.

Because Michigan is home to more YMCA camps than any other state in the union, we are keenly aware of the importance of assuring that camping activities are specifically mentioned in the bill. Camping is a 125 year old YMCA tradition that provides unique character-building programs in an outdoor setting. Camp leaders follow the safety guidelines established by our national organization as well as the American Camping Association.

Calling out camping activities assures that these programs and services are protected, even though some might argue that the protection is already included in the previous bill. The specificity included in the amendment removes unnecessary ambiguity.

The second aspect important to YMCA leaders is the opportunity that this bill allows YMCAs and their leaders to be treated in a manner that is similar to municipalities – providing opportunity, should they choose, to allow parents to acknowledge and waive claims on a broader basis than current statute allows. We don't seek absolution from responsibility, but equity in treatment on a legal basis.

While we take our responsibility to provide high quality, safe programs seriously, this provision is important because it removes the "unequal partnership" created when we collaborate with municipalities and governmental organizations. YMCAs partner with hundreds of schools, municipalities and governmental units across the state. Raising our protection to the same level as our partners will avoid the potential negative impact that I witnessed while a YMCA CEO in Illinois.

In this case, a YWCA was partnering with a local Park District on a program run primarily by the Park District. While the Park District had most of the responsibility for the program implementation, the YWCA was ultimately bankrupted by a lawsuit brought against both, but bourn only by the YWCA because of this "unequal protection." This YWCA is no longer in existence. This "unequal protection" flaw would be corrected with this amendment.

There are dozens of similar examples. Certainly, we understand your duty to protect our citizens and we share in that responsibility. YMCAs in Michigan have a strong record of safety and service for more than 160 years. Whether we are teaching kids to swim in the inner city of Detroit, partnering with the City for recreation in Hastings, or developing healthy kids in after school programs in Kalamazoo we are committed to strengthening Michigan's Communities through Youth Development, Healthy Living and Social Responsibility.

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