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# VETOES

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## VETOES

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April 25, 2008

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909

Dear Legislators:

Today I have signed Enrolled House Bill 5344, the fiscal year 2008 supplemental appropriations bill for various Executive Branch agencies, Higher Education, and Judiciary. This supplemental bill funds a number of important priorities including a state trooper school, forensic laboratory operations and environmental quality programs. However, I am returning it to you because of special interest items of which I disapprove, pursuant to Article V, Section 19 of the Michigan Constitution of 1963. The specific vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State.

I have vetoed funding for business incubators in Macomb County and Washtenaw County. As you know, this office has been very supportive of job incubators; indeed, the Michigan Economic Development Corporation has specific funding for similar purposes and I encourage these agencies to compete for that funding.

In addition, section 521 is legally unenforceable since there is no appropriation contained in this bill to which the directives of section 521 could be applied.

I thank the Legislature for its work on these supplemental appropriations.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5344, referred to above, became 2008 PA 113.

July 18, 2008

Michigan State Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentleman:

Today I have signed Enrolled Senate Bill 1095, the general appropriations bill for the Department of Corrections for the fiscal year ending September 30, 2009. I have, however, disapproved one item pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

I am pleased that this bill includes \$33.2 million for prisoner reintegration programs. The Michigan Prisoner Re-entry Initiative (MPRI) reduces crime and the rate of offender return to prison by providing offenders the tools they need to be successful when returning to the community. I am also encouraged that discussions that have commenced with the Legislature, the Executive Branch, and stakeholders through the Council of State Governments' Justice Reinvestment Initiative will continue. This initiative is a sound strategy for reducing spending on corrections while keeping the public safe.

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I have disapproved the proposed appropriation for an intensive probation pilot program and corresponding language included in Section 605. I cannot support the program as contemplated because it would give officials in the Judicial Branch supervisory authority over Executive Branch employees in contravention of the Separation of Powers Clause.

This bill supports the core operations of the Department of Corrections for fiscal year 2009. I commend the Legislature for its prompt action in finalizing this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 1095, referred to above, became 2008 PA 245.

July 17, 2008

Michigan State Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentleman:

Today I have signed Enrolled Senate Bill 1097, which provides \$364.0 million to support the operations of the Department of Environmental Quality during the fiscal year ending September 30, 2009. I have, however, disapproved two items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State.

I have disapproved Section 231, which earmarks \$250,000 contingent upon legislation creating an Environmental Ombudsman in the Legislative Council. I believe that it is inappropriate to fund a legislative position using funds appropriated to a principal department of the Executive Branch.

Additionally, I have disapproved Section 403, which appropriates \$2.0 million to reimburse retailers for the cost of retrofitting existing reverse vending machines to accept Michigan-only returnable beverage containers. At this time, I am not convinced that the anticipated return on investment merits diverting clean-up funds for the purchase of new equipment for retailers. However, I am willing to continue discussions on this issue.

This bill supports the essential operations of the Department of Environmental Quality and I thank the Legislature for its cooperation in finalizing this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 1097, referred to above, became 2008 PA 247.

July 17, 2008

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5814, which makes appropriations for the Department of Human Services (DHS) for the fiscal year ending September 30, 2009. However, I

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have disapproved items in the bill pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are contained within the attached copy of the bill, which has been filed with the Secretary of State.

This bill appropriates nearly \$4.6 billion, an amount that represents a significant commitment to the safety, well-being, independence, and permanency of Michigan's families and children. Highlights of the bill include:

- ♦ Full funding of projected caseloads and costs for critical financial support programs.
- ♦ An increase in the Family Independence Program cash assistance and clothing allowance grants in recognition of continued economic pressures on low-income families in Michigan.
- ♦ Continued support of improvements in the child welfare system, placing the highest priority on the health and safety of children, including the appropriation of over \$670 million for the Foster Care, Child Care Fund, and Adoption Subsidies programs to provide children with caring families and safe homes.

I have disapproved Sections 908 and 1104(3), which are unnecessary because they duplicate initiatives already underway within the department.

I have also disapproved the \$100 appropriation for a child care fund in-home care incentive program, and related language included in Section 583 because the moneys appropriated would be inadequate to accomplish the requirements of Section 583.

I have also disapproved Section 310, which would earmark funds for a local referral project. This project should compete with other projects for funds that are available through the Early Childhood Investment Corporation for the same purpose.

In addition, I have disapproved Section 531, which would allocate \$5 million in federal revenues to local units of government. I continue to support the existing policy, which splits the revenue equally between the state and the counties.

Lastly, I have disapproved a \$500,000 capital outlay appropriation, because I believe in the established process to deal with surplus property and that the process should be followed.

While I have found it necessary to disapprove items included in the bill you sent me, I am pleased that the Legislature met targeted funding levels while protecting key human services programs and initiatives. I appreciate the Legislature's cooperation in the development of this budget and your effort to preserve services for vulnerable children and families.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5814, referred to above, became 2008 PA 248.

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July 17, 2008

Michigan House of Representatives  
State Capitol  
Lansing, MI 48909-78514  
Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5810, appropriations bill for the Judicial Branch for the fiscal year ending September 30, 2009. I have, however disapproved one item

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pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

I am especially pleased that this bill includes \$550,000 to provide adult offenders, needing mental health services, with treatment and other mental health services aimed at improving their ability to function in the community and link them to employment, housing, treatment, and support services. Additionally, by providing an alternative to incarceration, mental health courts can help ease local jail and state prison crowding.

This bill provides \$5.2 million for drug treatment courts that hold offenders accountable for their behavior while providing treatment for substance abuse problems. Successful substance abuse treatment can reduce long, costly incarcerations and recidivism at both the local and state level.

I have disapproved Section 318, which was intended to appropriate funding for a probation pilot program through an interdepartmental grant from the Department of Corrections. I cannot support this program as contemplated because it would give officials in the Judicial Branch supervisory authority over Executive Branch employees in contravention of the Separation of Powers Clause.

I thank the Legislature for its work on this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5810, referred to above, became 2008 PA 250.

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July 17, 2008

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5809 providing over \$1.3 billion in appropriations for the Department of Labor and Economic Growth for the fiscal year ending September 30, 2009. This budget will provide funding for the department to continue to revitalize Michigan's economy through workforce training initiatives, and protect citizens through regulatory oversight and workplace safety programs. I am especially pleased that the budget increases funding for the No Worker Left Behind and Michigan Nursing Corps initiatives, which are vital to helping thousands of Michigan workers get trained for new careers in critical areas of need.

However, I have disapproved one item pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item veto is contained in the attached copy of the bill which has been filed with the Secretary of State. I disapproved of Section 442(1)(a), which would undermine the prioritization of potential TANF Contingency Funds needed to accelerate the transition of low-income citizens into stable careers through the Jobs, Education, and Training (JET) Plus program.

Furthermore, the Legislature reinstated two boilerplate sections that remain unenforceable. Section 337 attempts to amend by implication powers and duties vested in the Commissioner of the Office of Financial and Insurance Regulation under Michigan law in contravention of Section 25 of Article IV of the Michigan Constitution of 1963. Similarly, Section 355 improperly attempts to amend by implication provisions of the Michigan Occupational Safety and Health Act, 1974 PA 154, MCL 408.1101 to 408.1094.

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I thank the Legislature for its work on completing the budget for the Department of Labor and Economic Growth.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5809, referred to above, became 2008 PA 251.

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July 17, 2008

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentleman:

Today I have signed Enrolled Senate Bill 1106, which provides \$290.0 million to support the operations of the Department of Natural Resources during the fiscal year ending September 30, 2009. I have, however, disapproved one item pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

My action today completes the budget for the Department of Natural Resources for fiscal year 2009 and provides funding for a wide variety of recreational and conservation activities available to the public, including over \$60 million for parks and recreation and nearly \$42 million for management of forests.

I have disapproved one item with which I do not concur, Section 802, which was intended to appropriate restricted fund resources for support of the cooperative resources management initiative program in the Department of Agriculture. I disapproved the item because I believe that forest development funds are better spent on the timber program and cannot support the use of additional funding for this discretionary program.

This bill supports the essential operations of the Department of Natural Resources and I thank the Legislature for its cooperation in finalizing this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 1106, referred to above, became 2008 PA 252.

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July 17, 2008

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909-7514

Dear Legislators:

Today I have signed Enrolled House Bill 5807, the appropriations bill for the Department of Agriculture for the fiscal year ending September 30, 2009. However, I have disapproved particular items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are contained in the attached copy of this bill, which has been filed with the Secretary of State.

This bill provides \$107.8 million for programs that protect the health and safety of Michigan residents, provide consumer protection, ensure animal health, and promote agriculture.

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I have disapproved the proposed appropriation for a cooperative resources management initiative program. I believe that the money intended for the program would be better used by funding the timber program rather than this discretionary program. This action is consistent with my disapproval of a similar item included by the Legislature in the appropriations bill for the Department of Natural Resources.

I also have disapproved various horse racing line items because the items were increased by reducing funding for the Bovine Tuberculosis program. Michigan has been steadfast in its battle to eradicate Bovine Tuberculosis from cervid populations for approximately 14 years, investing over \$97.0 million of taxpayer resources. A disinvestment at this time would jeopardize public health and compromise our eradication efforts to date. Therefore, I support restoration of funding for the Bovine Tuberculosis program and associated horse racing grants at the levels in the budget I originally submitted for fiscal year 2009.

In addition, I believe that Section 902 is legally unenforceable, as it represents an attempt to amend existing Michigan law by implication in contravention of Section 25 of Article IV of the Michigan Constitution of 1963.

This bill supports the essential operations of the Department of Agriculture. I commend the Legislature for its work on this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5807, referred to above, became 2008 PA 253.

July 17, 2008

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5804, the appropriations bill for the Department of History, Arts, and Libraries for the fiscal year ending September 30, 2009. However, I have disapproved two items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are contained in the attached copy of the bill, which has been filed with the Secretary of State.

This bill provides \$53 million (\$40 million general fund) to preserve Michigan's history and historic treasures, provide library technology and services, promote the arts, and provide a variety of cultural experiences.

I have disapproved the appropriation for Michigan History Day as this item was funded by reducing general fund support for the arts and cultural grants line included in the bill. I have also disapproved the appropriation for local historical society grant programs as the Michigan Council for Arts and Cultural Affairs already has the authority to issue grants in this category.

I appreciate the Legislature's efforts in the development of this budget.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5804, referred to above, became 2008 PA 254.

## VETOES 2008

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August 5, 2008

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5816, which makes appropriations for the fiscal year ending September 30, 2009 for the Departments of Attorney General, Civil Rights, Information Technology, Management and Budget, State, and Treasury, and for the Executive Office and the legislative branch of state government. This legislation will provide almost \$3.2 billion in funding to provide for the necessary operations of state government, including \$1.1 billion in vital revenue sharing grants to local governments.

I have, however, disapproved four items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are contained in the attached copy of the bill which has been filed with the Secretary of State.

I have disapproved the carry-forward provisions proposed in Section 307 and Section 311 because the language effectively would authorize spending in excess of target agreements for the Department of Attorney General.

I have disapproved Section 803a, which would require the Department of State to conduct an extensive cost allocation study regarding the administration and collection of transportation revenue. Existing cost allocation methodology used Department of State is reasonable and development of an alternative methodology is unnecessary.

I also have disapproved Section 1027 because I believe that expenditures from the 21st Century Jobs Trust Fund should be awarded based on oversight from the Michigan Strategic Fund Board and consistent with the Michigan Trust Fund Act and the Michigan Strategic Fund Act.

While I found it necessary to disapprove of several items in this bill, I thank the Legislature for its work authorizing general government expenditures for Fiscal Year 2009.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5816, referred to above, became 2008 PA 261.

September 27, 2008

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909-7514

Dear Legislators:

Today I have signed Enrolled House Bill 5808, which makes appropriations for the Department of Transportation for the fiscal year ending September 30, 2009. However, I have disapproved one item pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item veto is contained in the attached copy of this bill, which has been filed with the Secretary of State.



## VETOES 2008

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This bill provides over \$3.6 billion for rebuilding, repairing and maintaining Michigan's roads and bridges, as well as key intermodal and public transportation programs. My action today:

- Provides over \$2.7 billion in road and bridge construction funds to the Department of Transportation and local road agencies for the preservation, repair, and maintenance of Michigan's transportation network.
- Provides \$275 million for public transit programs, including \$186 million for bus operating assistance grants to local transit agencies.

However, I have again disapproved Subsection (3) of Section 306 which would mandate that the Department of Treasury develop a cost allocation plan for motor fuel tax collections based on time and effort.

I thank the Legislature for its work on this important budget bill.

Sincerely,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5808, referred to above, became 2008 PA 275.

June 13, 2008

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I have vetoed Enrolled House Bill 4749, as provided under Section 33 of Article IV of the Michigan Constitution of 1963, for essentially the same reasons I vetoed similar legislation two years ago (see attached).

Although marginally different from the legislation previously sent to my desk, my concerns with Enrolled House Bill 4749 remain the same. When involved in a crash, an unhelmeted motorcyclist is 40 percent more likely to suffer a fatal head injury and 15 percent more likely to suffer a nonfatal injury than a helmeted motorcyclist. Lifetime, long-term care costs for treatment of head injuries have been shown to be between \$4 million and \$9 million – far more than the \$20,000 personal injury protection required under this bill. Costs to treat these injuries would be borne by all Michigan citizens in the form of higher insurance rates.

Helmets save lives and reduce serious injury. For these reasons, I return Enrolled House Bill 4749 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 4749, referred to above, is compiled in Michigan House Enrolled Bills (2008).

## VETOES 2008

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June 13, 2008

Michigan Senate  
State Capitol  
Lansing, Michigan 48909

Ladies and Gentleman:

I disapprove of Enrolled Senate Bill 776 and return the bill without signature. I do so for the same reason that I vetoed similar legislation during my first year as governor. I will not support a late term abortion ban that fails to protect both the life and the health of mothers. Medical professionals oppose this legislation because it does not contain a valid exception for the health of the mother. They believe that medical decisions of this nature should be made by women and their doctors, not politicians. I agree.

Since my previous veto, my administration has worked to implement a Blueprint to Prevent Unintended Pregnancies. This effort includes the Plan First program that provides access to critical family planning services for low-income women, the Talk Early, Talk Often program that helps middle school parents talk with their children about abstinence and sexuality, and a provider task force that develops tools to help counsel women and men on how to avoid unplanned pregnancies.

Efforts like these have had a positive impact, as evidenced by data showing a reduction in the number of abortions in Michigan in 2007.

Although public opinion on abortion continues to be sharply divided, I hope we can agree on the importance of working together to avoid unwanted pregnancies. I will continue to lead in these efforts and urge proponents from both sides of the debate to join me.

Sincerely,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 776, referred to above, is compiled in Michigan Enrolled Senate Bills (2008).