
VETOES

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June 6, 2007

Michigan State Senate
State Capitol
Lansing, Michigan 48909

Dear Legislators:

Today I have signed Enrolled Senate Bill 436, the fiscal year 2007 supplemental appropriations bill for various Executive Branch agencies, Legislature, Judiciary, Higher Education, and Community Colleges. This supplemental appropriation is an integral part of the solution for the fiscal year 2007 budget; it includes \$139.7 million General Fund savings for various agencies and \$209.2 million General Fund increases to cover immediate program needs. However, I am returning it to you because of one item of which I disapprove, pursuant to Article V, Section 19 of the Michigan Constitution of 1963. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

I have vetoed the \$5 million reduction to the Bureau of State Lottery promotion and advertising program. If this reduction were enacted, there would be insufficient authorization available to cover current year expenditure obligations.

I thank the Legislature for its work on this legislation.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 436, referred to above, became 2007 PA 17.

October 31, 2007

Michigan House
State Capitol Building
Lansing, MI 48933

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 4358, which provides \$370.8 million to support the fiscal year 2008 operations of the Department of Environmental Quality. I am, however, returning it to you because of one item of which I disapprove, pursuant to Article V, section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

I have vetoed section 1103, which earmarks \$250,000 for a real-time water quality monitoring grant for the St. Clair watershed. While I support real-time water quality monitoring, significant state resources have been appropriated in prior years for this purpose. The local units of government have agreed to use the unspent balance of fiscal year 2007 dollars to develop a local sustainable funding plan for real-time water quality monitoring.

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This bill supports the essential operations of the Department of Environmental Quality and I thank the Legislature for its cooperation in finalizing the fiscal year 2008 budget.

Sincerely,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill No. 4358, referred to above, became 2007 PA 121.

October 31, 2007

Michigan House
State Capitol Building
Lansing, MI 48933

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 4354, which provides \$289.2 million to support the fiscal year 2008 operations of the Department of Natural Resources. I am, however, returning it to you because of one item of which I disapprove, pursuant to Article V, section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

My action today completes the fiscal year 2008 budget for the Department of Natural Resources 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 \$40 million for management of forests. In addition, this bill provides over \$14 million in support of the payments in lieu of taxes program.

My action today vetoes one item with which I do not concur. I have vetoed section 802, which appropriates general fund resources for support of the cooperative resources management initiative program in the Department of Agriculture. I cannot support use of general fund for this discretionary program during these tough fiscal times.

This bill supports the essential operations of the Department of Natural Resources and I thank the Legislature for its cooperation in finalizing the fiscal year 2008 budget.

Sincerely,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill No. 4354, referred to above, became 2007 PA 122.

October 31, 2007

Michigan State Senate
State Capitol
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 229, the fiscal year 2008 General Government budget bill, which provides funding for the departments of Attorney General, Civil Rights, Information Technology, Management and Budget, State, Treasury, the Executive Office, and the Legislature. Also included is \$1.1 billion in funding for revenue sharing grants.

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However, I am returning it to you because of items of which I disapprove pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of this bill, which has been filed with the Secretary of State.

My action today includes vetoes of three items with which I do not concur. I have vetoed the carry forward provisions in section 307 because the language effectively authorizes general fund spending in excess of the funding target for the Department of Attorney General.

Due to a requirement of up-front costs, I have vetoed boilerplate section 724b, which requires the Department of Management and Budget to conduct an extensive inventory of all of the state's personal property to evaluate asset monetization proposals.

I have vetoed boilerplate section 919(2), which requires the Department of Treasury to pay annual dues to the national Conference of Commissioners on Uniform State Laws, as the department is not a member of the organization.

This action completes the fiscal year 2008 General Government appropriation and assures continuation of essential operations of various agencies in the executive and legislative branches of government.

Sincerely,
Jennifer Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 229, referred to above, became 2007 PA 127.

October 31, 2007

Michigan State Senate
State Capitol
Lansing, Michigan 48909
Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 222, the FY 2008 appropriations bill for the Department of Agriculture. However, I am returning it to you because of items of which I disapprove pursuant to Article V, Section 19, of the Michigan Constitution. The specific vetoes are contained in the attached copy of this bill, which has been filed with the Secretary of State.

This bill provides \$109.4 million for programs that protect the health and safety of Michigan's residents, provide consumer protection, ensure animal health, and promote agriculture and the horse racing industry.

However, I have vetoed the appropriation for the cooperative resources management initiative program. I cannot support use of general fund revenues for this discretionary program during these tough fiscal times. This action is consistent with my veto of the same within Enrolled House Bill 4354.

I have also vetoed language section 703, which requires the Department of Agriculture to grant \$30,000 to the Northwest Michigan Horticultural Research Station, which specializes in cherry industry research, as this is not part of the core functions of this department.

In addition, I believe that Section 902 is legally unenforceable, as it attempts to amend Public Act 431 of 1984 by reference.

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

Sincerely,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 222, referred to above, became 2007 PA 128.

October 31, 2007

Michigan State Senate
State Capitol
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 240, the FY 2008 appropriations bill for the Department of Transportation. However, I am returning it to you because of items of which I disapprove pursuant to Article V, Section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of this bill, which has been filed with the Secretary of State.

This bill provides over \$3.3 billion for rebuilding, repair and maintenance of Michigan's roads and bridges, as well as key intermodal and public transportation programs. My action today:

- Provides over \$2.5 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 over \$285 million for public transit programs, including \$182.3 million for bus operating assistance grants to local transit agencies.

However, I have again vetoed Section 306(3) that requires the Department of Treasury to develop a cost allocation plan for motor fuel tax collections based on time and effort. I continue to believe this level of administrative oversight by the Legislature is unwarranted.

There are also two provisions contained in this bill that remain unconstitutional, and, therefore unenforceable for the reasons specified below:

1. Section 401 requires legislative approval of federal aid distributions. This section violates the separation of powers doctrine in Article III, Section 2 of the 1963 Constitution of the State of Michigan.
2. Section 732(5) and (6) include withholding provisions that are unenforceable as they attempt to amend by reference 1951 PA 51, MCL 247.664. Since Section 732 addresses an important public policy issue, under my direction, the Department of Transportation has implemented policies and procedures ensuring accessibility to public transportation for all citizens by requiring lifts on transit vehicles be adequately maintained and operable.

Sincerely,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 240, referred to above, became 2007 PA 129.

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October 31, 2007

Michigan Senate
State Capitol Building
Lansing, MI 48933

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 238, which provides \$566.5 million to support the fiscal year 2008 operations of the Department of State Police. I am, however, returning it to you because of one item of which I disapprove, pursuant to Article V, section 19, of the Michigan Constitution. 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 a law enforcement resource study and corresponding boilerplate section 233. This expenditure is unnecessary because the Department of State Police is already working on development of a service delivery model, which reviews where law enforcement services are needed in the state.

This bill supports the essential operations of the Department of State Police and I thank the Legislature for its cooperation in finalizing the fiscal year 2008 budget.

Sincerely,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 238, referred to above, became 2007 PA 130.

October 31, 2007

Michigan Senate
State Capitol Building
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 232, the fiscal year 2008 appropriation for the Department of Human Services (DHS). However, I am returning it to you because of items of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific items vetoed are contained within the attached copy of the bill, which has been filed with the Secretary of State.

This bill appropriates over \$4.5 billion, an amount that represents a significant commitment to the safety, well-being, independence, and permanency of Michigan's children and families. Highlights of the bill include:

- Full funding of projected caseloads and costs for critical family support programs including the Family Independence Program (\$374.0 million), State Disability Assistance Program (\$34.7 million), and Child Day Care Services (\$409.9 million).
- The appropriation of nearly \$634 million for the Foster Care, Child Care Fund, and Adoption Subsidies programs to provide children with caring families and safe homes.
- Funding of \$43.5 million for services to improve the child welfare system. These services will support guardianship programs for children in foster care and other services to place children in permanent homes.
- Statewide expansion of the Jobs, Education and Training (JET) Program with increased funding of \$18.0 million.

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- A commitment of current and new resources to support development of an integrated information technology system (BRIDGES) that will reduce the workload for overburdened staff and increase accuracy of client payments.

My action today vetoes Sections 303(3), 304, 306, 309, and 581, which earmark funds for various special projects that cannot be supported during these tight fiscal times.

I have vetoed Section 908. The department is already piloting a similar effort to increase child support collections and I await the results of that pilot before instituting a new project.

I have vetoed Section 576, which increases adoption rates above the amount agreed to during budget negotiations. I am directing the Department of Human Services to implement a 4 percent rate increase for adoption providers. Likewise, I have vetoed Section 613, which increases indigent burial rates by over 50 percent. I am directing the department to implement the burial rates currently established by Administrative Rule.

I have also vetoed Section 531, which allocates \$5 million in Title IV-E revenues to local units of government. I continue to support the existing policy, which splits the revenue equally between the state and the counties.

I have vetoed language in Section 574(1), which is inconsistent with discussions during final budget negotiations.

Section 727 is legally unenforceable because it attempts to amend 1974 PA 150, MCL 803.305 by reference without republication.

Finally, Section 684 expresses legislative intent that the maximum number of day care hours remain at 100 per two-week period. This section cannot be implemented because the funding in Part 1 was reduced to reflect a reduction in day care hours to 90.

While I have found it necessary to make some modifications to the bill, I am pleased that the Legislature met targeted funding levels while protecting key DHS programs and initiatives. I appreciate the Legislature's cooperation in the development of a particularly difficult budget and your effort to focus on preserving the services to vulnerable families and children.

Sincerely,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 232, referred to above, became 2007 PA 131.

November 8, 2007

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 4359, the school aid budget for fiscal year 2008. However, I am returning it to you because of an item of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

In these extremely tight economic times, it is essential that we continue to invest in our top priority – the education of our children. Enrolled House Bill 4359 appropriates \$13.0 billion for fiscal year 2008 to support K-12 education in Michigan.

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All districts will receive a foundation allowance increase of \$48 or more per pupil. In an effort to further close the funding gap, a foundation allowance formula has been instituted that provides the lowest-funded districts twice the increase of the highest-funded districts, or \$96 per pupil. Those districts with foundation allowances between the lowest and highest funded districts will receive an adjusted amount dependent upon how large the gap is between their foundation allowance and the maximum state foundation share of \$8,344 per pupil.

This budget also recognizes the financial struggles of districts with declining enrollment by maintaining \$20 million for declining enrollment assistance grants. These grants assist nearly 60% of our school districts.

The budget also provides for a modest increase in our state's preschool programs by increasing the per-child allotment for the Great Start school readiness program from \$3,300 to \$3,400 and providing small increases for the Early Childhood Investment Corporation and interagency early childhood preventative services grants.

I have vetoed section 77, which appropriates nearly \$1.3 million to subsidize student transportation costs for certain districts. During the implementation of Proposal A, all districts that were receiving separate transportation dollars had that funding rolled into their foundation allowance. Since that time, districts have received significant foundation allowance increases. Therefore, I am vetoing this proposed new subsidy.

I thank the Legislature for their work on behalf of Michigan's children.

Sincerely,
Jennifer M. Granholm
Governor