



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JOHN D. CHERRY, JR.
LT. GOVERNOR

September 30, 2010

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

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5889 authorizing the expenditure of \$3.2 billion by the Department of Transportation in the fiscal year that ends on September 30, 2011. I have, however, disapproved of items pursuant to Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are detailed in the attached copy of the bill, which has been filed with the Secretary of State.

I have exercised my item veto authority to eliminate the following unnecessary items: (1) Section 306(3), which would mandate the State Treasurer to develop an alternative cost allocation plan for motor fuel tax collections; (2) Section 394, requiring the department to conduct a study which was completed and published by the department as part of the requirements of PA 116 of 2009; (3) Section 399, and the corresponding \$100 line-item, which does not provide sufficient resources to implement the program; and (4) Section 608, providing for two additional unneeded timber truck inspection stations.

To provide direction regarding the implementation of this appropriations act, I note the following:

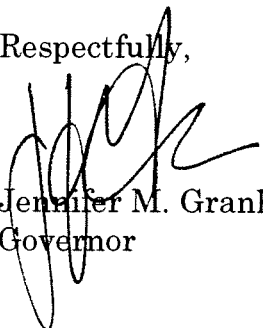
- Section 709 (2) of House Bill 5889 purports to require that any changes in an essential corridor list for bus routes be approved by House and Senate Appropriations Subcommittees on Transportation. As the Legislature lacks the constitutional authority to delegate administrative or legislative duties to a subcommittee of the legislature, this provision appears to violate Const 1963, art 3, § 2, Const 1963, art 4, § 26, and Const 1963, art 4, § 33, and is unenforceable.

I thank the Legislature for presenting a fiscal year 2011 budget for the Department of Transportation. I am pleased that we were able to work together in order to match all of the available federal aid and I look forward to continuing to

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work towards a long-term solution to the impending funding shortfalls faced by the department.

Respectfully,



Jennifer M. Granholm
Governor

c: Michigan State Senate
The Honorable Terri Lynn Land