
VETOES

VETOES

February 3, 2006

Michigan State Senate
State Capitol Building
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 956. However, I disapprove a distinct item appropriating money in the bill as provided under Section 19 of Article V 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 Section 203 appropriating \$116.3 million from the general fund to the Countercyclical Budget and Economic Stabilization Fund. It is clear to me that this deposit was not a serious proposal. Also on my desk today is Enrolled Senate Bill 957, which would enact an unfunded Single Business Tax reduction. If both bills were signed as presented, a general fund deficit would result, triggering the executive order reduction process. Any deposit to the Budget Stabilization Fund should be considered in the context of final resolution of both the 2006 and 2007 budgets.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 956, referred to above, became 2006 PA 4.

February 3, 2006

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

Ladies and Gentlemen:

Today I have vetoed and return with objections Enrolled House Bill 5447, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The bill would prohibit the adoption of rules or standards to protect workers from job-related musculoskeletal injuries and shield employers from costs and lost productivity associated with such workplace injuries.

House Bill 5447 is a solution in search of a problem. No department, board, or commission in state government has proposed rules to address job-related musculoskeletal injuries. In fact, an advisory committee to consider whether rules or standards are necessary in Michigan was formed by the administration of my predecessor, Governor Engler. The advisory committee, which includes experts in health and ergonomics and representatives of both employers and employees, has neither completed its review nor made any recommendations. House Bill 5447 would prematurely terminate the work of this advisory body.

Furthermore, as Governor, because the Michigan Constitution separates the powers of government, I have an obligation to defend the Executive Branch from encroachment, just as you seek to defend the prerogatives of the Legislative Branch. If the advisory committee

VETOES 2006

determines that administrative rules are needed in this area, and the Executive Branch concurs, the Administrative Procedures Act of 1969 affords ample opportunity for legislative review and reaction. If it is determined that administrative rules are not needed at this time, I have a responsibility to preserve the ability of a future governor to decide otherwise.

Because Enrolled House Bill 5447 forecloses these options, I return the bill without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill No. 5447, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

February 3, 2006

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

Ladies and Gentlemen:

You have presented me with a dozen bills intended to better Michigan's tax climate by improving administration of Michigan's tax laws and facilitating more effective interaction between the Department of Treasury and taxpayers. Nine of the bills are consistent with that goal. Accordingly, I have approved Enrolled House Bills 4244, 5356, 5357, 5358, 5359, 5360, 5361, 5362, and 5364. Three bills are not. As a result, I return Enrolled House 5355, 5363, and 5386 with my objections as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

House Bill 5355 would prohibit retroactive application by the Department of Treasury of rules and administrative bulletins issued to provide guidance for taxpayers on current tax law. This could be detrimental to taxpayers. For example, had this bill been in effect in 1998 when the Department of Treasury altered an administrative interpretation to conform to a court decision increasing the tax obligations of some out-of-state businesses and providing tax benefits for some businesses in Michigan, the tax refunds issued to hundreds of Michigan businesses might not have been possible.

House Bill 5363 would open the door to settlements between the Department of Treasury and taxpayers to lower taxes owed, even when a clear tax obligation exists under the law. Unfortunately this also opens the door for outside pressure that could lead to potential abuses: favoritism and subjective imposition of tax obligations without clear standards as opposed to evenhanded administration of tax laws. A change in the law that creates the potential for such abuse in the future is not in the best interests of Michigan taxpayers.

House Bill 5386 is substantively similar to House Bill 5107, which was vetoed last November. That bill included badly flawed language that would substantially jeopardize the collection of Michigan's use tax by expanding a loophole for purchasers that the Department of Treasury would not be able to audit and close given existing resources. House Bill 5386 replicates this problem.

For these reasons, I return Enrolled House Bills 5355, 5363, and 5386 without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill Nos. 5355, 5363, and 5386, referred to above, are compiled in *Michigan House Enrolled Bills (2006)*.

VETOES 2006

February 3, 2006

Michigan State Senate
State Capitol
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with objections Enrolled Senate Bill SB 957, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

Senate Bill 957 would result in a significant reduction in state revenues, as verified by your own nonpartisan Senate Fiscal Agency. Because the bill also would create additional incentives for business entities other than true small businesses, including affiliates of some large out-of-state corporations, to exploit loopholes in the Single Business Tax Act by claiming the lower alternative rate intended only for small businesses, state revenues would be cut further. The leadership of both the Senate and the House of Representatives have promised publicly and privately to close tax loopholes to pay for reductions in business taxes. That promise was not kept. The question of how they intend to pay for this bill remains unanswered.

This legislation also represents a piecemeal approach to improving Michigan's tax climate. In contrast, more than a year ago, I proposed a comprehensive and fiscally responsible restructuring of business taxes in Michigan—significantly lowering the Single Business Tax rate, cutting the alternative tax paid by small businesses, creating new tax incentives for investment in Michigan, closing tax loopholes, and eliminating tax shelters. I have yet to see an alternative comprehensive plan.

I will continue to oppose legislation that does not advance the goal of a comprehensive and fiscally responsible restructuring of business taxes in Michigan. But I also will continue to support bipartisan efforts to restructure our business tax system and improve the tax structure for small businesses in a positive way that does not threaten important services for Michigan citizens. Such efforts can include an end to the Single Business Tax as we know it, but the costs of changes in tax law cannot be ignored. We have already demonstrated our ability to make progress toward this goal when we work together. Senate Bill 957, standing alone, is not a step in that direction. I therefore return the bill without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 957, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

March 3, 2006

Michigan State Senate
State Capitol
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bill 179, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

As I said in my veto message of similar legislation in 2004, education should be the first priority of Michigan teenagers. Current Michigan law prevents 16- and 17-year old students from spending more than a combined 48 hours per week in school or on the job. This is an attempt to assure that young people concentrate on school and do not spend too much time in the workplace. As most Michigan teenagers attend school about 30 hours per week, they legally may not work more than 18 hours.

VETOES 2006

But under Senate Bill 179 these employment standards would be relaxed, allowing high school students to work more hours, up to 20 hours per week, regardless of the amount of time they spend in school. While I support efforts to reduce administrative burdens for employers, I am concerned that increased hours in the workplace for students will lead to decreased performance in the classroom and on standardized tests.

Now that the State Board of Education has recommended higher academic standards for high school students, this is not the time to lower standards that encourage our young people to focus on school. Education must come first.

Therefore, I return Enrolled Senate Bill 179 without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 179, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

March 23, 2006

Michigan Senate
State Capitol
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return without signature Enrolled Senate Bills 1026, 1027, and 1028, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The bills would foreclose arbitrarily the ability to assure that senior citizens and the disabled are receiving safe and quality care by well-trained and adequately compensated caregivers.

Furthermore, because the Michigan Constitution of 1963 separates the powers of government among three branches, I have an obligation to defend the Executive Branch from encroachment, just as you seek to defend the prerogatives of the Legislative Branch. If at some point it is determined that administrative rules are needed to assure that workers providing care to senior citizens and the disabled are receiving the wages and benefits necessary to assure quality care and safety, the Administrative Procedures Act of 1969 affords ample opportunity for legislative review and reaction. If it is determined that rules are not needed, I have a responsibility to preserve the ability of a future governor to decide otherwise.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill Nos. 1026, 1027, and 1028, referred to above, are compiled in *Michigan Senate Enrolled Bills (2006)*.

March 23, 2006

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

Ladies and Gentlemen:

Today I have vetoed and return without signature Enrolled House Bills 5744 and 5745, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The bills

VETOES 2006

would foreclose arbitrarily the ability to assure that senior citizens and the disabled are receiving safe and quality care by well-trained and adequately compensated caregivers.

Furthermore, because the Michigan Constitution of 1963 separates the powers of government among three branches, I have an obligation to defend the Executive Branch from encroachment, just as you seek to defend the prerogatives of the Legislative Branch. If at some point it is determined that administrative rules are needed to assure that workers providing care to senior citizens and the disabled are receiving the wages and benefits necessary to assure quality care and safety, the Administrative Procedures Act of 1969 affords ample opportunity for legislative review and reaction. If it is determined that rules are not needed, I have a responsibility to preserve the ability of a future governor to decide otherwise.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill Nos. 5744 and 5745, referred to above, are compiled in *Michigan House Enrolled Bills (2006)*.

March 31, 2006

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

Ladies and Gentlemen:

Today I have vetoed, and return to you with my objections, Enrolled House Bill 5743. This legislation threatens our families, our businesses, and our state's economic future. Instead of offering needed solutions, this half-measure only creates new problems for Michigan.

First, if enacted, House Bill 5743 would result in either a significant tax increase for Michigan families or massive cuts in the things most important to Michigan families – education, health care, and public safety. The Republican leadership's failure to accept Democratic amendments that would have prevented these adverse results makes it clear these results are among the intended consequences of this legislation.

Second, if enacted, House Bill 5743 would cast a cloud of uncertainty over Michigan's business climate. Businesses considering investment or expansion in Michigan would be unable to estimate what their tax obligations might be without a replacement tax or substantially modified Single Business Tax in place. Uncertainty about taxes is a powerful disincentive to the new investment and job creation that Michigan needs. That is why I have stressed the importance of acting now to determine just what will replace the SBT and the nearly \$2 billion it provides each year.

My record on this subject could not be more clear. I have consistently supported tax reform measures that will make Michigan more competitive and create jobs, including the \$600 million tax cut for manufacturers I signed into law in December. I have also offered three distinct ways we could overhaul or replace the Single Business Tax: the Michigan Jobs and Investment Act I proposed in January of 2005, the compromise agreement the Republican leadership reneged on in November, and an SBT repeal through HB 5743 had it included the aforementioned Democratic amendments. But I will not sign a bill that would shift the tax burden to Michigan families and create tremendous uncertainty in Michigan's business climate.

I therefore return Enrolled House Bill 5743 without signature and call on you to do your job. Create a solution, not more problems. Pass improved business tax legislation

VETOES 2006

that fully protects vital services like education, health care, and public safety. Pass a bill that also guarantees that businesses will pay their fair share of taxes without forcing Michigan families and citizens to shoulder new tax burdens. That is a solution I can support. That is the solution Michigan needs and deserves.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill No. 5743, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

March 31, 2006

Michigan Senate
State Capitol
Lansing, Michigan 48909-7536
Ladies and Gentlemen:

After careful consideration, I have vetoed, and return to you with my objections, Enrolled Senate Bill 372. The bill would create a new, state-mandated government bureaucracy that would not address the basic concerns about the governance of water supply and sewerage systems in Southeast Michigan.

The water supply and sewerage system owned and operated by the Detroit Water and Sewerage Department ("DWSD") is currently under the court-ordered supervision of the Honorable John Feikens, United States Judge for the Eastern District of Michigan. Judge Feikens recently stated that legislation such as this would be unconstitutional.

To give voice to regional concerns, the federal court monitor has established a consortium with representation by elected officials from Oakland County, Macomb County, Wayne County, Washtenaw County, and the City of Detroit.

Judge Feikens has also stated that "long-term compliance with federal law would be better assured if the water quality leaders of this region could develop a process for resolving concerns between the DWSD and its customers outside of the litigation process," and that it is "cooperation, not legislation or litigation, that can produce a long-term solution." I agree wholeheartedly.

I will not endorse a measure that will foster public cynicism and mistrust by promoting needless division instead of regional cooperation. There is a court-monitored regional system in place. Let the system work. For these reasons, I return Enrolled Senate Bill 372 without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 372, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

May 12, 2006

Michigan House of Representatives
State Capitol
Lansing, Michigan 48909-7514
Ladies and Gentlemen:

Today I have vetoed and return Enrolled House Bills 5648, 5649, and 5650, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The legislation would

VETOES 2006

transfer decisions relating to ballot proposals and petition signatures from a bi-partisan board of election officials that acts at public meetings to an individual state bureaucrat who reports to a partisan secretary of state and acts behind closed doors.

I believe the approval or rejection of petitions, determination of the sufficiency or insufficiency of petitions, and canvassing of petitions should be performed by a public body at a public meeting held in full compliance with the Open Meetings Act. In a democracy, these kinds of decisions demand the full light of public scrutiny. Under the Open Meetings Act, when a governmental body acts, it must notify the public in advance and hold the meeting in public at a public location. All deliberations and decisions must occur within public view. Any citizen may attend, address the body, seek redress of grievances, and record or broadcast the proceedings. Minutes of the meeting must be kept and made available for public inspection.

In contrast, House Bills 5648, 5649, and 5650 would place decisions in the hands of an individual state employee not subject to the Open Meetings Act. The employee would not be required to provide advance notice of decisions or to act in public at an accessible location. Deliberations and decisions could occur in private without public comment and a record of the decision-making process would not be required. Additionally, the employee responsible would report to a partisan secretary of state. Reducing public scrutiny and accountability in this way would undermine public confidence in the election process, a fact exacerbated by the complete lack of any bi-partisan support for these three bills in either the Michigan Senate or the Michigan House of Representatives.

Because I object to changes in state law that would reduce public scrutiny of the election process, I return Enrolled House Bills 5648, 5649, and 5650 without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill Nos. 5648, 5649, and 5650, referred to above, are compiled in *Michigan House Enrolled Bills (2006)*.

May 12, 2006

Michigan Senate
State Capitol
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return Enrolled Senate Bills 973, 974, 975, and 976 as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The legislation would transfer decisions relating to ballot proposals and petition signatures from a bi-partisan board of election officials that acts at public meetings to an individual state bureaucrat who reports to a partisan secretary of state and acts behind closed doors.

I believe the approval of statements describing ballot proposals, determination of the validity and the sufficiency of petition signatures, assignment of ballot designations, and the hearing of petition-related complaints should be performed by a public body at a public meeting held in full compliance with the Open Meetings Act. In a democracy, these kinds of decisions demand the full light of public scrutiny. Under the Open Meetings Act, when a governmental body acts, it must notify the public in advance and hold the meeting in public at a public location. All deliberations and decisions must occur within public view. Any citizen may attend, address the body, seek redress of grievances, and record or broadcast

VETOES 2006

the proceedings. Minutes of the meeting must be kept and made available for public inspection.

In contrast, Senate Bills 973, 974, 975, and 976 would place decisions in the hands of an individual state employee, not subject to the Open Meetings Act. The employee would not be required to provide advance notice of decisions or to act in public at an accessible location. Deliberations and decisions could occur in private without public comment and a record of the decision-making process would not be required. Additionally, the employee responsible would report to a partisan secretary of state. Reducing public scrutiny and accountability in this way would undermine public confidence in the election process, a fact exacerbated by the complete lack of any bi-partisan support for these four bills in either the Michigan Senate or the Michigan House of Representatives.

Because I object to changes in state law that would reduce public scrutiny of the election process, I return Enrolled Senate Bills 973, 974, 975, and 976 without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill Nos. 973, 974, 975, and 976, referred to above, are compiled in *Michigan Senate Enrolled Bills (2006)*.

May 25, 2006

Michigan Senate
State Capitol Building
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 242, which provides \$231 million in supplemental appropriations for the current fiscal year. However, I am returning it to you because of items of which I disapprove 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.

Among other items, this bill authorizes critical spending for state and local Michigan Natural Resources Trust Fund projects and boating access sites; recognizes additional quality assurance assessment revenue in the Medicaid program; authorizes funding for road and bridge construction; and appropriates additional federal and state restricted funding in various agencies which became available after the fiscal year 2006 budget was enacted.

I disagree with the following items:

- I have vetoed the appropriations to the Department of Corrections Executive Operations line item and Section 241 because I believe that the conditions in Section 241 would limit the department's ability to manage prison operations and to protect public safety in the most cost-effective and efficient manner possible.
- I have vetoed the earmarked appropriation for a site assessment at Little Black Creek, and related Section 249, because special projects like this should be considered as part of the regular site assessment process.
- I have vetoed the Foster Care Payments appropriation and Section 253 because I believe that the conditions imposed in Section 253 would limit the ability of the Department of Human Services to place children in the most appropriate setting based on a complete assessment of the child's needs.

VETOES 2006

- I have also vetoed a \$500,000.00 appropriation to the Department of State for election administration and services included in Section 120(3). Under related boilerplate included in Section 441, the appropriation would have been directed to developing a procedure for providing identification cards for voters without a valid driver's license or state issued identification card. As Michigan law does not currently require a Michigan citizen to present a driver's license or state identification card when exercising his or her right to vote, this would not be an appropriate or effective expenditure of state funds. Funds for election administration and services would better be directed to developing programs that encourage citizens to vote and that make the election process more accessible such as no-excuse absentee voting, same day registration, and early voting. Such programs in other states are effective while maintaining the integrity of elections. Michigan must focus on encouraging voting rather than imposing financial obstacles between voters and the ballot box.
- I have vetoed \$100,000 in the Department of Treasury, and related Section 507, because of serious concerns about the potential impact of this appropriation on the confidentiality of individual tax records.

Additionally, with regard to the \$7 million dollars appropriated in Section 123(6) for Tobacco Securitization Economic Development and the related boilerplate included in Sections 502, 503, and 509 of the bill, I am directing the State Treasurer and the Michigan Strategic Fund to withhold any disbursements or expenditures until it is determined that the appropriations and related conditions are legally valid and consistent with the requirements of the Michigan Trust Fund Act and Chapter 8a of the Michigan Strategic Fund Act.

Lastly, I do not believe that Section 250 is enforceable since it attempts to amend Part 315 of the Natural Resources and Environmental Protection Act by reference. I also do not believe that Section 251 is enforceable because there is no TANF appropriation for this purpose in Part 1 of the bill.

I thank the members of the 93rd Legislature for your work on these important supplemental appropriations.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 242, referred to above, became 2006 PA 153.

June 23, 2006

Michigan Senate
State Capitol
Lansing, Michigan 48909-7536
Ladies and Gentlemen:

Today I have vetoed Enrolled Senate Bill 297, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. I do not believe that the legal requirement to wear a helmet while operating or riding on a motorcycle in Michigan should be eliminated.

Repealing the requirement that motorcyclists wear helmets would be costly to all Michigan families. The \$10,000 personal injury protection requirement under the bill is woefully inadequate. Actual costs for treatment of head injuries have been shown to be 400 percent higher. For closed-head injuries, lifetime long-term care costs run between \$4 million and \$9 million. By failing to require sufficient insurance protection, this bill would force higher medical and insurance costs on all Michigan citizens.

VETOES 2006

On this issue, the evidence is clear—motorcycle helmets save lives and reduce serious injury. States that have repealed this safety standard have experienced significantly increased fatality rates. In Louisiana, for example, the requirement that motorcycle riders wear helmets was reinstated four years after its repeal due to a 65 percent increase in fatalities. Studies have shown that helmet usage reduces fatalities by 37 percent and prevents traumatic brain injury by 67 percent.

The social and economic costs of this legislation simply are too high. For these reasons, I return Enrolled Senate Bill 297 without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 297, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

June 26, 2006

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

Ladies and Gentlemen:

Today I return Enrolled House Bill 4596 with my objections, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. This bill would amend Section 18 of The Code of Criminal Procedure to add a redundant sentencing guideline for the following felony under Section 7410a of Chapter 333 of the Michigan Compiled Laws: "Controlled substance offense or offense involving GBL in or near a public park or private park." A sentencing guideline for this felony already exists in Section 13m of The Code of Criminal Procedure. Multiple guidelines for the same offense not only clutter the compiled laws of this state, but also create confusion for law enforcement, legal practitioners, and the general public.

I recently received letters from the Secretary of the Senate and the Clerk of House requesting the return of this bill. In the future, if the Legislature seeks to recall an enrolled bill for further consideration, concurrent action of both houses of the Michigan Legislature is required. I also ask that the Legislature proceed consistent with the procedures outlined in Paragraph 2 of Section 756 of Mason's Manual of Legislative Procedure (2000 ed): "Legislation is also sometimes recalled from the executive for further consideration. Legislation is usually recalled by a resolution, but sometimes a committee is sent to the executive for that purpose."

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill No. 4596, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

August 10, 2006

Michigan State Senate
State Capitol
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 1085, a bill making appropriations for the Department of Education for the fiscal year ending September 30, 2007. However, I am

VETOES 2006

returning it to you because of two items I have disapproved as authorized by Section 19 of Article V of the Michigan Constitution of 1963. The specific item vetoes are contained in the attached copy of the enrolled bill, which has been filed with the Secretary of State.

Senate Bill 1085 provides over \$90 million to improve student achievement and increase accountability as required by the federal No Child Left Behind Act and enables the Department of Education to administer over \$13 billion in school aid payments to local school districts. In addition, the bill supports the administration of early intervention efforts for academically at-risk children, special education programs, professional preparation services, and the Michigan Schools for the Deaf and Blind.

Due to limited state resources, my action today includes veto of:

- \$50,000 for dues to the Education Commission of the States, and
- \$25,000 in support of Michigan History Day (Section 304).

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

Sincerely,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 1085, referred to above, became 2006 PA 332.

August 15, 2006

Michigan Senate
State Capitol Building
Lansing, MI 48933

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 1086, which provides \$444.2 million to support the fiscal year 2007 operations of the Department of Environmental Quality. I am, however, returning it to you because of four 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 the bill, which has been filed with the Secretary of State.

My action today completes the fiscal year 2007 budget for the Department of Environmental Quality and supports critical environmental programs including \$40 million for strategic water quality programs; over \$21 million for the environmental cleanup and redevelopment program; almost \$9 million for Brownfield grants and loans; and \$605,000 to implement the recently enacted water withdrawal statutes.

My action today also vetoes four items with which I do not concur. I have vetoed funding for a grant to Michigan legislative council for an environmental ombudsman as this funding is intended for a service to be provided by the Legislative Branch but paid for by an Executive Branch agency.

I have vetoed funding for Little Black Creek and Muskegon County, including boilerplate section 1104, as these special interest projects should be considered through the regular remediation and redevelopment grant process.

I have vetoed boilerplate section 222, which provides funding for a consultant to benchmark the permitting programs. Significant improvements have been made by the Department of Environmental Quality over the past few years to reduce air quality permit processing times, and to streamline the National Pollution Discharge Elimination System permit process. These successes were achieved through partnerships with industry, public utilities,

VETOES 2006

the federal government, and through examination of best practices in other states. Efforts are also underway to expand these process improvements to other areas of the Department's land and water permit programs. Scarce state resources would be better utilized to build on these successes and continue efforts to reduce the time required to issue permits.

Finally, boilerplate sections 229 and 801 are legally unenforceable, as they attempt to amend Public Act 451 of 1994 by reference.

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 2007 budget.

Sincerely,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 1086, referred to above, became 2006 PA 343.

August 15, 2006

Michigan Senate
State Capitol Building
Lansing, MI 48933

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 1094, which provides \$291.5 million to support the fiscal year 2007 operations of the Department of Natural Resources. I am, however, returning it to you because of four 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 the bill, which has been filed with the Secretary of State.

My action today completes the fiscal year 2007 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 \$45 million for management of forests. In addition, this bill provides over \$15 million in support of the payments in lieu of taxes program.

My action today also vetoes four items with which I do not concur.

I have vetoed boilerplate section 709 and related waterways funding for a breakwall, which is under the jurisdiction of the United States Army of Corps of Engineers because the Department lacks the legal authority to make the repairs. Further, use of Waterways Fund resources in this prescribed manner is inappropriate. I have directed the department to work with the Army Corps of Engineers in an effort to acquire federal funding for repair of this break wall and will support future appropriation of federal resources toward this end.

I have vetoed boilerplate section 603 that appropriates funding to remove three publicly owned dams on the Kalamazoo River. Significant clean up activity must occur before the dams are removed or the contamination will release downstream. The dams cannot legally be removed without permission from the Environmental Protection Agency (EPA) and without securing funds for the remediation activities. The Department of Environmental Quality is involved in on-going negotiations with the primary responsible parties and the EPA. The responsible parties are legally obligated to pay for these remediation activities; therefore, state support is unnecessary and could potentially compromise on-going negotiations.

VETOES 2006

I have vetoed boilerplate section 1104 that provides federal land and water conservation fund support to Cascades Park in Jackson County as federal requirements mandate that all such funding be awarded through an open competitive grant process.

Finally, I have vetoed funding for Chapel dam maintenance as this is a locally owned dam and it is the responsibility of the local owners to maintain the dam.

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 2007 budget.

Sincerely,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 1094, referred to above, became 2006 PA 344.

August 15, 2006

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5796, which contains fiscal year 2007 appropriations for 19 agencies, plus supplemental appropriations for fiscal year 2006. I am, however, returning it to you because of several 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.

The bill contains 2007 appropriations for Agriculture; History, Arts and Libraries; Human Services; Judiciary; Labor and Economic Growth; Michigan Strategic Fund; Military and Veterans Affairs; State Police; Transportation; and General Government.

Highlights of the bill include:

- \$113.6 million to support the operations of the Department of Agriculture, including an additional \$775,000 in general fund dollars for food safety and fruit and vegetable inspections programs.
- \$2.9 billion for General Government agencies including the departments of Attorney General, Civil Rights, Civil Service, Information Technology, Management and Budget, State, Treasury, the Executive Office, and the Legislature. Also included is \$1.1 billion in continuation level funding for local revenue sharing grants.
- \$4.5 billion, including \$1.2 billion general fund, for the Department of Human Services. The bill supports the new Jobs, Education and Training (JET) pilot. JET is designed to meet the new federal work requirements and reduce long term welfare dependence through enhanced and integrated service delivery to Family Independence Program recipients.
- \$569 million, including \$249 million general fund to support the Michigan State Police. The bill includes an additional \$2.5 million for a new 50-member trooper recruit school.
- The bill also includes funding for the following state agencies: History, Arts and Libraries (\$54.9 million gross, \$43.2 million general fund); Judiciary (\$259.4 million gross, \$160.6 million general fund); Labor and Economic Growth (\$1.2 billion gross, \$47.4 million general fund); Michigan Strategic Fund (\$80.5 million gross, \$32 million general fund); Military and Veterans Affairs (\$123 million gross, \$40.6 million general fund); and Transportation (\$3.4 billion).

VETOES 2006

In Article 7 of the bill, I have vetoed Section 307 as well as the carry forward provision in section 309. Both of these provisions would have effectively authorized general fund spending in excess of the funding target for the Department of the Attorney General.

In Article 7, I have also vetoed Section 949(b). This subsection requires the development of a cost allocation plan identifying the actual costs of work on a time and effort basis associated with collecting state restricted transportation funds. This new study would be redundant since the Department of Treasury's current cost allocation methodology has been reviewed and upheld as reasonable by the Auditor General.

In Article 10, I have vetoed Section 550(1) which would provide \$20,000 to develop materials to offer foster parents about the risks of smoking. These materials were developed in the current fiscal year so additional development funds are not necessary.

In Article 18, I have vetoed sections 504(4), 613, 615, and 616. Section 504(4) is similar to the language I vetoed in the Treasury budget regarding a requirement to develop a new cost allocation methodology. Sections 613, 615 and 616 represent parochial earmarking that, if left intact, could undermine the Constitutional and statutory responsibilities of the State Transportation Commission. In addition, Section 613 earmarks \$50,000 for a comprehensive signage program to direct motorists to the Michigan International Speedway; the department is already proceeding with this signage program utilizing fiscal year 2006 appropriations.

In addition, the following boilerplate sections are unenforceable because they attempt to amend standing statutes and/or violate the Constitutional separation of powers: Section 273(6) of Article 10; Sections 319, 337, and 355 of Article 12; and Sections 401, 707(2), and 732(5) and (6) of Article 18.

And finally, I have instructed the Department of Human Services to not spend the allocations authorized in Sections 303(3) and 424 of Article 10 unless authorized to do so by the State Budget Office. Both of these sections included permissive earmarks of federal Temporary Assistance to Needy Families (TANF) dollars. Since these funds have been over-allocated in the 2007 budget bill, they should not be spent unless the Budget Office determines that there are sufficient revenues to support the programs.

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

Sincerely Yours,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill No. 5796, referred to above, became 2006 PA 345.

September 22, 2006

Michigan Senate
State Capitol
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return Enrolled Senate Bill 50.

The bill would authorize an unlimited number of catering permits for beer, wine, and other alcoholic beverages without specific limits on the duration of the permits. This and other ambiguities in the legislation unintentionally may result in the creation of new loopholes in Michigan law regulating the distribution and sale of alcoholic beverages, including existing restrictions designed to prevent the illegal consumption of alcoholic beverages by minors. The bill also fails to adequately address the new types of enforcement challenges for the

VETOES 2006

Liquor Control Commission and other law enforcement agencies that would arise under an entirely new distribution mechanism involving an unlimited number of permits.

For these reasons, I return Enrolled Senate Bill 50 without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 50, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

December 21, 2006

Michigan Senate
State Capitol
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

I have vetoed and return to you with my objections Enrolled Senate Bill 1081, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

The State of Michigan continues to face enormous fiscal challenges. The revenues used to support state government operations and provide critical services for our citizens have eroded. The accelerated elimination of the Single Business Tax by the 93rd Michigan Legislature coupled with its failure to enact replacement revenues has created additional fiscal instability. For these reasons, I do not believe now is an appropriate time to advance capital spending that will place additional pressures and obligations on the state's general fund, even though many of the projects are worthwhile.

I look forward to working with the new 94th Michigan Legislature on a capital spending plan after the state's fiscal house has been restored to order.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 1081, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

December 22, 2006

Michigan Senate
State Capitol
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

I have vetoed and return with my objections Enrolled Senate Bill 248. The bill would create a special exception from the standardized process for establishing speed limits adopted earlier this year. I do not believe such an exception is appropriate. Michigan law already prohibits the operation of a motor vehicle at a speed that is too fast for the conditions of a roadway.

In addition, Senate Bill 248 suffers from technical deficiencies. For example, Section 629(1)(d) of the bill references the "prima facie speed limit established under Section 628." However, prima facie speed limits are established elsewhere in the Michigan Vehicle Code, not in Section 628.

VETOES 2006

Finally, I am concerned that enactment of Senate Bill 248 could lead to litigation. The manner in which the purpose of the bill was changed by the House of Representatives from a bill relating to license plates to a bill relating to speed limits may lead to a constitutional challenge under Section 24 of Article IV of the Michigan Constitution of 1963.

For these reasons, I return Enrolled Senate Bill 248 without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled Senate Bill No. 248, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

December 28, 2006

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

Ladies and Gentlemen:

I have vetoed and return with my objections Enrolled House Bill 6440. Although the bill suffers from several legal and financial flaws, the main reason for my disapproval is that under the bill the Children's Ombudsman would be appointed by, answer to, and be subject to removal by state legislators appointed via a partisan process. Transfer of the Office of the Children's Ombudsman to the legislative branch also would strip civil service protections from the dedicated career professionals working in the Office. Moreover, further aligning the agency with one branch of state government or another could easily and unfortunately politicize investigations that ought to be pursued with one purpose: the protection of children.

Less than two years ago I signed legislation increasing the authority, autonomy, and accountability of the Office of the Children's Ombudsman. Legislative oversight was enhanced by providing for the appointment of the Children's Ombudsman with the advice and consent of the Senate. The Office was authorized to pursue all necessary action to protect the rights and welfare of a child under the jurisdiction of a court or a child welfare agency and to pursue legislative advocacy in the best interests of children. That legislation struck the right balance between legislative oversight and an agency possessing autonomy with teeth. House Bill 6440 does not. I therefore return the bill without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill No. 6440, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

December 29, 2006

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

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled House Bill 5300, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

By restricting Michigan State Housing Development Authority assistance to United States citizens and individuals legally admitted as permanent residents, House Bill 5300

VETOES 2006

would create unintended negative consequences for individuals legally admitted into the United States, including those who have sought asylum in the United States because of political persecution elsewhere. In contrast, both the Federal Housing Administration and Fannie Mae allow loans to individuals who are lawfully in the United States regardless of their status as permanent residents. Individuals in the United States on student visas, work permits, or as part of the diplomatic corps, and those seeking permanent resident status, among others, currently are eligible for loans from these federal entities, but would not be eligible for assistance under this legislation. I therefore find Enrolled House Bill 5300 inappropriately restrictive and return the bill without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill No. 5300, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 4, 2007

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

Ladies and Gentlemen:

I return to you without signature and with my objections Enrolled House Bills 4257, 4647, 5761, 6292, and 6661, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

The State of Michigan continues to face enormous fiscal challenges. Because of ongoing economic restructuring, the revenues used to provide critical services for our citizens have eroded. In particular, sales tax revenues have dropped sharply in the past several months. Additionally, the accelerated elimination of the Single Business Tax by the 93rd Michigan Legislature coupled with the failure to enact replacement revenues has created a massive fiscal hole.

The total cost of these bills, combined with new capital spending under recently vetoed capital outlay legislation, totals in the hundreds of millions of dollars. Before considering these expenditures, Michigan must be on stable fiscal footing. For these reasons, I will not sign bills such as these, though they may be very worthy, that impose significant new costs.

I look forward to working with the new 94th Michigan Legislature on other important issues after the state's fiscal house has been restored to order.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill Nos. 4257, 4647, 5761, 6292, and 6661, referred to above, are compiled in *Michigan House Enrolled Bills (2006)*.

January 5, 2007

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

Ladies and Gentlemen:

Today I have vetoed and return with objections Enrolled House Bill 6606, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The bill would create

VETOES 2006

a new law to allow nonprofit convention and tourism bureaus to impose an assessment of up to 2% on hotel and motel rooms to promote convention business and tourism. Unfortunately, the assessment would be authorized only in a county with a population greater than 500,000 and less than 750,000.

In this restrictive form, Enrolled House Bill 6606 would apply only in Kent County. While the assessment authorized under the legislation could serve a laudable purpose in greater Grand Rapids, restricting this tool only to one community is short sighted. Ingham County also has expressed an interest in this assessment option and was included in an earlier version of the bill. Other communities like Ingham County should not be denied access to the promotional tools that House Bill 6606 would provide only in Kent County. Accordingly, I return the bill without signature.

Respectfully,
Jennifer M. Granholm
Governor

Compiler's note: Enrolled House Bill No. 6606, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

Enrolled Bills Not Approved By Governor After Final Adjournment of 2006 Session of Legislature ("Pocket Vetoes")

January 3, 2007

The following entitled enrolled bill was presented to the Governor on December 20, 2006, at 9:32 a.m., for her approval:

Enrolled House Bill No. 5301, being

AN ACT to amend 2002 PA 591, entitled "An act to establish an educational scholarship program for eligible resident students enrolled in certain nursing programs; to prescribe conditions for repayment of the scholarships; to provide for the administration of the Michigan nursing scholarship program; and to prescribe certain powers and duties of certain state officers, agencies, and departments," by amending section 4 (MCL 390.1184).

The enrolled bill, having not been approved as of January 3, 2007, at 9:32 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall

Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5301, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 3, 2007

The following entitled enrolled bill was presented to the Governor on December 20, 2006, at 9:34 a.m., for her approval:

Enrolled House Bill No. 5302, being

AN ACT to amend 1986 PA 102, entitled "An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education," by amending section 3 (MCL 390.1283), as amended by 2004 PA 180.

The enrolled bill, having not been approved as of January 3, 2007, at 9:34 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall

Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5302, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 3, 2007

The following entitled enrolled bill was presented to the Governor on December 20, 2006, at 9:36 a.m., for her approval:

Enrolled House Bill No. 5303, being

AN ACT to amend 1964 PA 208, entitled "An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program," by amending section 4 (MCL 390.974), as amended by 1986 PA 270.

VETOES 2006

The enrolled bill, having not been approved as of January 3, 2007, at 9:36 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall
Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5303, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 3, 2007

Compiler's note: Enrolled House Bill No. 4478, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.
The following entitled enrolled bill was presented to the Governor on December 20, 2006, at 9:38 a.m., for her approval:

Enrolled House Bill No. 5304, being

Compiler's note: Enrolled Senate Bill No. 957, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

AN ACT to amend 1986 PA 303, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible graduate and professional graduate schools and employed by qualified employers; to prescribe the powers and duties of certain state agencies; and to provide for an appropriation," by amending section 4 (MCL 390.1324).

The enrolled bill, having not been approved as of January 3, 2007, at 9:38 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall
Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5304, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 3, 2007

The following entitled enrolled bill was presented to the Governor on December 20, 2006, at 9:40 a.m., for her approval:

Enrolled House Bill No. 5305, being

AN ACT to amend 1986 PA 288, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies," by amending section 4 (MCL 390.1374), as amended by 1990 PA 47.

The enrolled bill, having not been approved as of January 3, 2007, at 9:40 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall
Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5305, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 3, 2007

The following entitled enrolled bill was presented to the Governor on December 20, 2006, at 9:42 a.m., for her approval:

Enrolled House Bill No. 5306, being

AN ACT to amend 1986 PA 273, entitled "An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies," by amending section 4 (MCL 390.1404).

VETOES 2006

The enrolled bill, having not been approved as of January 3, 2007, at 9:42 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall
Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5306, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 3, 2007

The following entitled enrolled bill was presented to the Governor on December 20, 2006, at 9:44 a.m., for her approval:

Enrolled House Bill No. 5307, being

AN ACT to amend 1966 PA 313, entitled "An act to award tuition grants to resident students enrolled in independent nonprofit institutions of higher learning; and to make an appropriation therefor," by amending section 3 (MCL 390.993), as amended by 1980 PA 503.

The enrolled bill, having not been approved as of January 3, 2007, at 9:44 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall
Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5307, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 3, 2007

The following entitled enrolled bill was presented to the Governor on December 20, 2006, at 9:46 a.m., for her approval:

Enrolled House Bill No. 5308, being

AN ACT to amend 1978 PA 105, entitled "An act to provide grants to students enrolled in independent nonprofit institutions of higher learning; and to provide for the promulgation of rules," by amending section 4 (MCL 390.1274), as amended by 2004 PA 184.

The enrolled bill, having not been approved as of January 3, 2007, at 9:46 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall
Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5308, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 3, 2007

The following entitled enrolled bill was presented to the Governor on December 20, 2006, at 9:48 a.m., for her approval:

Enrolled House Bill No. 5309, being

AN ACT to amend 1976 PA 228, entitled "An act to provide for scholarships to high school graduates of this state; and to prescribe the powers and duties of the Michigan higher education assistance authority," by amending section 4 (MCL 390.1304), as amended by 2004 PA 182.

VETOES 2006

The enrolled bill, having not been approved as of January 3, 2007, at 9:48 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall

Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5309, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 5, 2007

The following entitled enrolled bill was presented to the Governor on December 21, 2006, at 12:15 p.m., for her approval:

Enrolled Senate Bill No. 1412, being

AN ACT to amend 1975 PA 238, entitled "An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 7 (MCL 722.627), as amended by 2004 PA 563.

The enrolled bill, not having been approved as of January 4, 2007, at 12:15 p.m. did not become a law, in accordance with the provisions of Article IV, Section 33 of the Constitution.

Carol Morey Viventi, J.D.

Secretary of the Senate

Compiler's note: Enrolled Senate Bill No. 1412, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

January 5, 2007

The following entitled enrolled bill was presented to the Governor on December 21, 2006, at 12:33 p.m., for her approval:

Enrolled Senate Bill No. 102, being

AN ACT to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe

VETOES 2006

penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” (MCL 791.201 to 791.283) by adding section 20d.

The enrolled bill, not having been approved as of January 4, 2007, at 12:33 p.m. did not become a law, in accordance with the provisions of Article IV, Section 33 of the Constitution.

Carol Morey Viventi, J.D.
Secretary of the Senate

Compiler's note: Enrolled Senate Bill No. 102, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

January 5, 2007

The following entitled enrolled bill was presented to the Governor on December 21, 2006, at 1:19 p.m., for her approval:

Enrolled Senate Bill No. 1289, being

AN ACT to amend 1974 PA 258, entitled “An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,” by repealing section 216 (MCL 330.1216).

The enrolled bill, not having been approved as of January 4, 2007, at 1:19 p.m. did not become a law, in accordance with the provisions of Article IV, Section 33 of the Constitution.

Carol Morey Viventi, J.D.
Secretary of the Senate

Compiler's note: Enrolled Senate Bill No. 1289, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

January 5, 2007

The following entitled enrolled bill was presented to the Governor on December 22, 2006, at 10:12 a.m., for her approval:

Enrolled Senate Bill No. 631, being

AN ACT to amend 1979 PA 152, entitled “An act to provide for the establishment and collection of fees for the regulation of certain occupations and professions, and for certain agencies and businesses; to create certain funds; and to prescribe certain powers and duties of certain state agencies and departments,” by amending sections 3 and 39 (MCL 338.2203 and 338.2239), section 3 as amended by 1993 PA 139 and section 39 as amended by 2003 PA 87.

The enrolled bill, not having been approved as of January 5, 2007, at 10:12 a.m. did not become a law, in accordance with the provisions of Article IV, Section 33 of the Constitution.

Carol Morey Viventi, J.D.
Secretary of the Senate

Compiler's note: Enrolled Senate Bill No. 631, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

VETOES 2006

January 5, 2007

The following entitled enrolled bill was presented to the Governor on December 22, 2006, at 10:14 a.m., for her approval:

Enrolled Senate Bill No. 632, being

AN ACT to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 601, 602, 605, 2402, 2404, 2405, and 2411 (MCL 339.601, 339.602, 339.605, 339.2402, 339.2404, 339.2405, and 339.2411), sections 601 and 602 as amended by 2005 PA 278, section 2404 as amended by 1988 PA 463, and section 2411 as amended by 2001 PA 113, and by adding sections 2404b and 2411a.

The enrolled bill, not having been approved as of January 5, 2007, at 10:14 a.m. did not become a law, in accordance with the provisions of Article IV, Section 33 of the Constitution.

Carol Morey Viventi, J.D.
Secretary of the Senate

Compiler's note: Enrolled Senate Bill No. 632, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

January 5, 2007

The following entitled enrolled bill was presented to the Governor on December 22, 2006, at 10:24 a.m., for her approval:

Enrolled Senate Bill No. 613, being

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2005 PA 134.

VETOES 2006

The enrolled bill, not having been approved as of January 5, 2007, at 10:24 a.m. did not become a law, in accordance with the provisions of Article IV, Section 33 of the Constitution.

Carol Morey Viventi, J.D.
Secretary of the Senate

Compiler's note: Enrolled Senate Bill No. 613, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

January 5, 2007

The following entitled enrolled bill was presented to the Governor on December 22, 2006, at 3:57 p.m., for her approval:

Enrolled Senate Bill No. 1273, being

AN ACT to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," (MCL 339.101 to 339.2721) by adding section 2408.

The enrolled bill, not having been approved as of January 5, 2007, at 3:57 p.m. did not become a law, in accordance with the provisions of Article IV, Section 33 of the Constitution.

Carol Morey Viventi, J.D.
Secretary of the Senate

Compiler's note: Enrolled Senate Bill No. 1273, referred to above, is compiled in *Michigan Senate Enrolled Bills (2006)*.

January 10, 2007

The following entitled enrolled bill was presented to the Governor on December 27, 2006, at 9:30 a.m., for her approval:

Enrolled House Bill No. 4328, being

AN ACT to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending section 482 (MCL 168.482), as amended by 1998 PA 142.

The enrolled bill, having not been approved as of January 10, 2007, at 9:30 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall
Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 4328, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

VETOES 2006

January 10, 2007

The following entitled enrolled bill was presented to the Governor on December 27, 2006, at 9:50 a.m., for her approval:

Enrolled House Bill No. 5637, being

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

The enrolled bill, having not been approved as of January 10, 2007, at 9:50 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall

Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 5637, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 10, 2007

The following entitled enrolled bill was presented to the Governor on December 27, 2006, at 10:06 a.m., for her approval:

Enrolled House Bill No. 6004, being

AN ACT to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 504a, 524, 614, 620, 622a, 623a, 634, 686, 1267, and 1274 (MCL 380.504a, 380.524, 380.614, 380.620, 380.622a, 380.623a, 380.634, 380.686, 380.1267, and 380.1274), section 504a as amended and section 524 as added by 2003

VETOES 2006

PA 179, section 614 as amended and section 634 as added by 2004 PA 419, section 620 as added by 2004 PA 413, section 622a as added by 2004 PA 412, sections 623a and 1274 as amended by 2004 PA 588, and section 1267 as amended by 2004 PA 232.

The enrolled bill, having not been approved as of January 10, 2007, at 10:06 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall

Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 6004, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.

January 10, 2007

The following entitled enrolled bill was presented to the Governor on December 27, 2006, at 11:42 a.m., for her approval:

Enrolled House Bill No. 6694, being

AN ACT to amend 2001 PA 34, entitled "An act relative to the borrowing of money and the issuance of certain debt and securities; to provide for tax levies and sinking funds; to prescribe powers and duties of certain departments, state agencies, officials, and employees; to impose certain duties, requirements, and filing fees upon political subdivisions of this state; to authorize the issuance of certain debt and securities; to prescribe penalties; and to repeal acts and parts of acts," by amending section 103 (MCL 141.2103) and by adding sections 518 and 519.

The enrolled bill, having not been approved as of January 10, 2007, at 11:42 a.m., did not become law in accordance with the provisions of Art. IV, Sec. 33 of the Constitution.

Gary L. Randall

Clerk of the House of Representatives

Compiler's note: Enrolled House Bill No. 6694, referred to above, is compiled in *Michigan House Enrolled Bills (2006)*.