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# VETOES

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## VETOES

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February 6, 2004

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

Today I return Enrolled House Bill 4478 with objections and without my signature as provided under Section 33 of Article IV of the Michigan Constitution of 1963. When I took this job as Governor I made a solemn commitment to do everything I could to protect Michigan's families. House Bill 4478 is not consistent with that promise in two key ways:

1. The bill is not about parental consent. The People of the State of Michigan already have prohibited a minor from seeking an abortion without first securing written consent from a parent, a legal guardian, or from a judge in a court proceeding. Michigan's existing parental consent law is strong and I support parental consent.

2. House Bill 4478 is not about protecting our children. Instead it would place many minors at risk. The bill would shield child abusers, including the worst kind of sexual predator—a parent or guardian who rapes his own child—behind legal presumptions. House Bill 4478 fails to provide sufficient protection for minors tragically living in abusive families.

Additionally, proponents of House Bill 4478 indicate this bill is needed to prevent judge shopping. If the Legislature is concerned with this issue, adopt appropriate legislation dealing only with judge shopping and without other language. I will approve such a bill.

Finally, while those on both sides of this issue may not be able to agree on the state's role in the abortion question, surely we can find some common ground in reducing the demand for abortion. I stand ready to work with you, in a bipartisan fashion, to prevent unwanted pregnancies and remove barriers to adoption. Together we can find better ways to protect Michigan families.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 4478, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

February 20, 2004

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 4693.

Let me be clear: I support flexibility. Fortunately, the Superintendent of Public Instruction currently has the authority to waive administrative rules. This bill, however, would amend the Revised School Code to vest in a single state officer unprecedented and nearly unbridled discretion to suspend state law, ignoring the constitutional roles in the enactment of laws provided for the Legislature and the Governor under Article IV of the Michigan Constitution of 1963.

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While I have full confidence in the judgment of Superintendent Watkins, I am not prepared to provide any Superintendent of Public Instruction with such unchecked authority. Under House Bill 4693 an unelected Superintendent could waive statutory provisions of the Revised School Code pertaining to many different areas, such as:

1. Competitive Bidding
2. Corporal punishment
3. Textbook approval
4. Sex education
5. Special education programs
6. School attendance
7. Curriculum
8. The annexation and transfer of a school district
9. School elections
10. The issuance of bonds and notes

Accordingly, I return Enrolled House Bill 4693 without my signature. I look forward to working with you to find more focused and effective ways to grant flexibility to Michigan schools.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 4693, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

February 20, 2004

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

Today I have vetoed and am returning with my objections Enrolled House Bill 4724.

Let me be clear: I support flexibility. Fortunately, the Superintendent of Public Instruction currently has the authority to waive administrative rules. This bill, however, would amend the State School Aid Act of 1979 to vest in a single state officer unprecedented and nearly unbridled discretion to suspend state law, ignoring the constitutional roles in the enactment of laws provided for the Legislature and the Governor under Article IV of the Michigan Constitution of 1963. Under House Bill 4724 an unelected Superintendent could waive statutory provisions of the State School Aid Act of 1979. Some examples of current statutory requirements questionably subject to waiver under the bill include:

1. Promises made to Michigan taxpayers under Proposal A of 1994. While I have full confidence in the judgment of Superintendent Watkins, I am not prepared to provide any Superintendent of Public Instruction with unchecked authority to tweak key provisions of Proposal A.

2. Accountability Requirements for School Districts, including Intermediate School Districts. In light of the on-going investigation into the financial activities of one or more intermediate school districts, I find it inadvisable to provide any Superintendent of Public Instruction with the power to waive conflict of interest restrictions for district board members. Nor is it the time to allow the waiver of financial penalties imposed for the provision of cars or chauffeurs to district board members, for the payment of unauthorized expenses to board members and administrators, or for disallowances found during a state audit of a district.

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3. Open Enrollment Efforts by Public School Academies. Public school academies are public schools and must be open to all students. Unfortunately this legislation would allow the waiver of the legal mandate that a public school academy use good faith efforts to advertise that the school is enrolling students and the procedures for applying to enroll.

Accordingly, I return Enrolled House Bill 4724 without my signature. I look forward to working with you to find more focused and effective ways to grant flexibility to Michigan schools.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 4724, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

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March 5, 2004

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

Today I have vetoed and return to you Enrolled House Bill 4463, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

This legislation would provide for the creation of a cancer awareness fund-raising license plate. I am a strong supporter of efforts by the American Cancer Society, the Karmanos Cancer Institute, and similar organizations to promote public awareness of cancer and to raise funds to fight this disease. As public officials I am sure we can work together, in partnership with those in the private and nonprofit sector, to find other new, creative, and more effective ways to promote cancer awareness.

I veto House Bill 4463 because it would authorize another fund-raising license plate in Michigan. The primary purposes of license plates are identification and law enforcement. Police agencies and organizations oppose the proliferation of fund-raising and other specialty license plates because the multiplicity of plates impedes these purposes and makes law enforcement more difficult. For these reasons, I cannot support legislation creating yet another type of license plate.

Accordingly, I return Enrolled House Bill 4463 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 4463, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

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March 5, 2004

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

Today I have vetoed and return to you Enrolled Senate Bill 785 without my signature, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

## VETOES 2004

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This legislation would establish a new administrative scheme for fund-raising license plates. I believe the bill is unnecessary as I am convinced by the arguments of the Michigan State Police and the Michigan Association of Chiefs of Police that effective law enforcement is undermined by the proliferation of non-standard license plates. As the number of plates increase, it becomes more difficult for law enforcement personnel and citizens to accurately identify vehicles fleeing the scene of an accident or crime.

Michigan currently has 23 types of license plates for motor vehicles and 26 bills pending before the Michigan Legislature would create even more. That is more than enough.

For these reasons, I return Enrolled Senate Bill 785 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 785, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

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March 29, 2004

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

Ladies and Gentlemen:

Today I have vetoed and return to you Enrolled House Bills 5434 and 5440, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

These bills would amend Michigan tax law to reverse course in our joint effort to expand electronic filing of tax returns by professional tax preparers. Individuals filing their own returns are not required to file electronically.

In place since the 1990s, electronic filing is less costly, quicker, and more accurate than traditional paper filing. While no one relishes paying taxes, electronic filing makes it easier. Michigan state government must be a leader, and should not step backwards, in making the innovative technological changes necessary to successfully operate in today's competitive business environment.

House Bills 5434 and 5440 would interfere with the Department of Treasury's use of new technology to process tax returns more efficiently. It is noteworthy that the Legislature was a full partner in this effort when it eliminated \$2.7 million in funding for Department of Treasury to pay for the distribution and processing of paper tax returns. Changing direction now, in the middle of tax filing season would send an unfortunate, mixed message to the business community and increase the operating costs of state government at a time when Michigan taxpayers cannot afford it. Further confusion also would be generated because these bills were not given immediate effect.

Because I do not support legislation creating obstacles to more advanced, efficient, and effective tax administration, I return Enrolled House Bills 5434 and 5440 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill Nos. 5434 and 5440, referred to above, are compiled in *Michigan House Enrolled Bills (2004)*.

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VETOES 2004

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April 7, 2004

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

Ladies and Gentlemen:

Today I return to you without my signature Enrolled House Bill 4720 and its tie-barred companion, Enrolled House Bill 4722, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. I veto House Bill 4720 for technical reasons.

House Bill 4720 would codify some existing state efforts to engage in bulk purchasing of goods and supplies with schools throughout the State of Michigan. This administration is a strong supporter of such cooperative efforts as part of our continuing mission to ensure that Michigan taxpayers get more for their hard-earned tax dollars. In fact, the Department of Management and Budget (DMB) has recently launched MiDEAL, an enhanced joint purchasing program that allows state agencies, local governments, schools, non-profit hospitals, colleges, and universities to achieve significant savings on the purchase of goods and services.

The intent of this legislation is laudable and I also support the proposed extension of cooperative purchasing of goods and supplies to non-public schools. However, House Bill 4720 inadvertently would delete the requirement under existing Michigan law that requires the DMB to assist school districts and intermediate school districts in purchasing services. Eliminating cooperative purchasing of services will increase, not decrease, costs for schools and the state.

Accordingly, while I return Enrolled House Bills 4720 and 4722 without signature, I look forward to signing corrective legislation. I am pleased that the Legislature seeks to join our effort to encourage cooperative purchasing. This administration, including the DMB, looks forward to working with you in rapidly adopting revised legislation that extends the benefits of cooperative purchasing to goods, supplies, and services. When we and our partners in local government work together, Michigan taxpayers win.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill Nos. 4720 and 4722, referred to above, are compiled in *Michigan House Enrolled Bills (2004)*.

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April 7, 2004

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

Ladies and Gentlemen:

Today I am returning Enrolled House Bill 5190 without my signature, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. I am doing so because my administration is already well under way in implementing a plan to consolidate human resource functions in state government.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5190, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

## VETOES 2004

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April 7, 2004

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

Ladies and Gentlemen:

Today I have vetoed and return to you Enrolled House Bill 5479, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. This bill would authorize, with local approval, the creation effective January 1, 2005 of an additional district court judgeship in the 77<sup>th</sup> Judicial District, which includes Mecosta and Osceola Counties.

While the creation of this new judgeship was recommended by the State Court Administrative Office last fall in its biennial review of judicial resources, the Legislature has not yet acted to alleviate insufficient judicial resources in other areas of the state. The creation of this additional judgeship would also negatively impact the Fiscal Year 2004-2005 budget. Given the importance of this issue, I do not intend to support House Bill 5479 unless legislation addressing the need for additional judicial resources in all areas of this state is on my desk at the same time.

Accordingly, I return Enrolled House Bill 5479 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5479, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

April 7, 2004

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

Ladies and Gentlemen:

Today I have vetoed and return to you Enrolled House Bill 5480, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. This bill would authorize, with local approval, the creation effective January 1, 2005 of an additional circuit court judgeship in the 55<sup>th</sup> Judicial Circuit, which includes Clare and Gladwin Counties.

While the creation of this new judgeship was recommended by the State Court Administrative Office last fall in its biennial review of judicial resources, the Legislature has not yet acted to alleviate insufficient judicial resources in other areas of the state. The creation of this additional judgeship would also negatively impact the Fiscal Year 2004-2005 budget. Given the importance of this issue, I do not intend to support House Bill 5480 unless legislation addressing the need for additional judicial resources in all areas of this state is on my desk at the same time.

Accordingly, I return Enrolled House Bill 5480 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5480, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

VETOES 2004

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April 7, 2004

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

Today I have vetoed and return to you Enrolled Senate Bill 788, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. This bill would authorize, with local approval, the creation effective January 1, 2007 of an additional circuit court judgeship in the 17<sup>th</sup> Judicial Circuit, which includes Kent County.

While the creation of this new judgeship was recommended by the State Court Administrative Office last fall in its biennial review of judicial resources, the Legislature has not yet acted to alleviate insufficient judicial resources in other areas of the state. Given the importance of this issue, I do not intend to support Senate Bill 788 unless legislation addressing the need for additional judicial resources in all areas of this state is on my desk at the same time.

Accordingly, I return Enrolled Senate Bill 788 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 788, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

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April 7, 2004

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

Today I have vetoed and return to you Enrolled Senate Bill 829, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. This bill would authorize, with local approval, the creation effective January 1, 2007 of an additional circuit court judgeship in the 16<sup>th</sup> Judicial Circuit, which includes Macomb County.

While the creation of this new judgeship was recommended by the State Court Administrative Office last fall in its biennial review of judicial resources, the Legislature has not yet acted to alleviate insufficient judicial resources in other areas of the state. Given the importance of this issue, I do not intend to support Senate Bill 829 unless legislation addressing the need for additional judicial resources in all areas of this state is on my desk at the same time.

Accordingly, I return Enrolled Senate Bill 829 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 829, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

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April 12, 2004

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

There you go again.



## VETOES 2004

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On January 9th I vetoed House Bill 5306. The legislature has now presented to me Enrolled Senate Bill 841, which is identical to the bill I vetoed. As we have patiently told the legislature, the state of Michigan already has two appointed “manufacturing czars”—David Hollister of the Department of Labor and Economic Growth and Don Jakeway of the Michigan Economic Development Corporation. The legislature should not waste taxpayer dollars repeatedly passing legislation, knowing it will be vetoed, ordering me to do something that I effectively did long ago. This legislation is an expensive, thinly veiled attempt to score partisan political points. I would hope that the legislature would work with this administration to pass bills that achieve real solutions and relief for the citizens who have lost their manufacturing jobs in Michigan.

Please see the previous veto message, attached.

I return Enrolled Senate Bill 841 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 841, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

April 15, 2004

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 4702, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

House Bill 4702 is well intended. However, while I support efforts to encourage the preservation of farmland, this bill fails to account for the harmful effects that may result from its provisions. Changing assessment practices for agricultural property without also ensuring that the benefits are limited to those committed to the preservation of farmland is not consistent with Michigan's interest in preserving our state's valuable farmland.

This legislation, while promising new protection for farmers and farmland, instead could undermine existing preservation incentives. Although amendments added by the Senate mitigate somewhat the bill's potentially harmful effects, it is not certain that the changes entirely eliminate those effects.

By failing to provide a penalty for withdrawing farmland from agricultural use, House Bill 4702 fails to reflect the explicit recommendations of the Michigan Land Use Leadership Council, which couple preservation incentives with “meaningful recapture provisions upon withdrawal.” In fact, because of this shortcoming, the two Co-Chairpersons of the Council, former Governor William G. Milliken and former Attorney General Frank J. Kelley, have voiced their opposition to this legislation.

For the reasons stated above, I return Enrolled House Bill 4702 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 4702, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

## VETOES 2004

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May 7, 2004

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 4160, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

House Bill 4160 would limit the ability of local units of government to enact living wage requirements. Several Michigan communities have adopted such requirements in business contracts or economic development assistance agreements. Although they vary, these ordinances typically require employers to pay a wage equivalent to the poverty level for a family of four and health benefits to affected employees.

I believe that local governments should have the right to enact such agreements if they so choose.

For the reason stated above, I return Enrolled House Bill 4160 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 4160, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

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May 18, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return to you with my objections Enrolled Senate Bill 1093, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

Senate Bill 1093 would provide a single business tax credit that supporters of the bill hope will encourage the creation of new jobs. I share the goal of job creation and have been working with the legislature to provide incentives to retain and attract good-paying jobs in Michigan. Indeed, today I announced the creation or retention of 8,600 jobs in Michigan—for nearly all of which Michigan beat competition from other states. Those jobs were created the right way—by offering targeted, aggressive assistance to businesses that would not otherwise have expanded or opened in this state.

Unfortunately, as drafted, Senate Bill 1093 is not targeted or strategic enough—it is written so broadly that it unnecessarily would subsidize business activity that would occur in any event. The legislation would reduce general fund revenues by about \$13 million annually, a significant sum during difficult budget times, and would spread that reduction thinly over so many firms that the impact on job creation would be minimal at best. Senate Bill 1093 also would reduce business taxes for transfers among business affiliates, even when no net new jobs would be created. Finally, while the bill requires that businesses claiming the tax credit must provide health care coverage or health insurance, these terms are not defined, rendering the requirement virtually meaningless.

A tax credit can be an appropriate tool to accomplish important public purposes if the credit will truly foster the activity sought and if other options are not effective. Unfortunately, Senate Bill 1093 meets neither test.

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I would prefer to use taxpayer-funded state resources in a much more targeted manner as we have done today in announcing the creation or retention of thousands of jobs through the Michigan Economic Growth Authority (MEGA) job credits. I look forward to working with the legislature to pass legislation that provides for a greater number of MEGA grants and more flexibility in the granting of the credits.

For the reasons stated above, I return Enrolled Senate Bill 1093 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 1093, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

May 28, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today, pursuant to Section 33 of Article IV of the Michigan Constitution of 1963, I have acted on several bills, including legislation designed to protect the vitality of Michigan forests and a package of bills intended to provide tax reductions for start-up businesses.

Michigan forests play an important role in providing economic opportunities in this state through tourism, recreation, hunting, and other forestry activities. Protecting forestry jobs, certifying forests, and ensuring their sustainability is vital for both our economy and our environment. Accordingly, I have approved and signed three bills, Enrolled Senate Bills 1023 and 1024 and Enrolled House Bill 5554. I appreciate the manner in which the legislature worked with the administration in shaping these bills.

The development and growth of small, high-tech firms also will play a key role in Michigan's economic future. With that in mind, I have approved and signed Enrolled House Bill 5331, because the single business tax credit under this bill is focused, limited, based on the current financial conditions of a qualifying business, consistent with the need for fiscal responsibility in tight budget times, and without technical deficiencies.

In reviewing the remaining bills in the business start-up package to determine whether they have potential to be effective in the effort to create and retain jobs in Michigan, I considered the following:

1. Will the tax breaks actually reduce taxes for any businesses?
2. Will the tax breaks actually create jobs?
3. Is the business tax reduction related to the current financial condition of a qualifying business? If a tax break intended to be an incentive for a start-up business is realized too long after the business is started, it is not an effective incentive.
4. Are the bills free from technical errors or flaws?
5. Do the bills siphon money from the School Aid Fund without a specific mechanism to replace those dollars?

Based on these factors, I have vetoed and returned to the House of Representatives Enrolled House Bills 5335, 5341, 5342, 5343, and 5345. I also return to the Senate with my objections and without signature Enrolled Senate Bills 863, 865, 867, 869, 872, and 875. Several of the bills would provide no actual incentives, doing nothing to create and save jobs. Others provide the tax breaks too late to be effective, and several have technical flaws.

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For example, Enrolled House Bill 5342 purports to give tax breaks to start-up businesses located in an enterprise zone. However, provisions allowing businesses to qualify for favorable tax treatment in the underlying enterprise zone law *expired in 2003*. Michigan Economic Development Corporation records show that *not a single business* currently eligible would qualify for the exemption under this bill.

Similarly, Enrolled House Bill 5335 apparently provides no business tax relief and therefore no incentive for job creation. The proposed Neighborhood Enterprise Zone Act tax exemption would apply to taxes levied only on *residential* and not business property. The Senate Fiscal Agency indicated the bill would reduce taxes by an “unknown and likely zero amount.”

Enrolled Senate Bill 863 is also technically deficient. The bill would exempt businesses with no business income from the payment of state income taxes under the Income Tax Act of 1967 for five years. However, business entities do not pay state income tax. A business operating as a sole proprietorship with no business income has no income subject to tax under current law. In other words, *this bill purports to provide tax relief—but to businesses with no tax liability*.

Another bill with similar provisions amending the City Income Tax Act, Enrolled House Bill 5345, would provide minimal tax relief at best, and is unlikely to generate any jobs. The Senate Fiscal Agency indicated the revenue effects under this bill are “expected to be negligible.”

Under the seven remaining bills in the package, the benefits of a tax credit or exemption are too far removed from the business conditions giving rise to the credit or exemption. For example, Enrolled House Bills 5341 and 5343 and Enrolled Senate Bills 865, 867, 869, 872, and 875 exempt property and utility use from various taxes for a five-year period. However, the five-year tax exemption under these bills generally would not begin until two years after a business initially qualifies for a single business tax reduction under House Bill 5331. As a result, the exemptions under these bills are disconnected for up to seven years from the condition rendering the business eligible for the exemption. To assure needed job creation in Michigan, tax incentives must be more focused and accurately targeted.

I share the goal of job creation in Michigan and applaud the effort to look for ways to grow our economy. I also agree that the development and growth of small, high-tech firms will play a key role in Michigan’s economic future. Some of the deficiencies identified in these bills can be fixed and the bills signed into law, if they are strategic and targeted and have the desired effect. I look forward to working with you on them.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler’s note:** Enrolled House Bill Nos. 5335, 5341, 5342, 5343, and 5345, referred to above, are compiled in *Michigan House Enrolled Bills (2004)*.

Enrolled Senate Bill Nos. 863, 865, 867, 869, 872, and 875, referred to above, are compiled in *Michigan Senate Enrolled Bills (2004)*.

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June 8, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bill 647.

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The State of Michigan has established the Michigan Occupational Health and Safety Administration (MIOSHA) to help protect Michigan workers and assist employers with tools to create a safe workplace environment. MIOSHA provides for local—not federal—administration of workplace safety and health programs, avoiding disconnected oversight from Washington, requiring public sector employers to operate under the same rules as the private sector, fostering more effective interaction with stakeholders, and enabling programs specifically tailored for Michigan workers and employers.

Unfortunately, Senate Bill 647 would place this program at risk by defining “wilful” [*sic*] violations in a manner inconsistent with federal requirements. In a February 9, 2004 letter from the United States Department of Labor, the Regional Administrator for the Occupational Safety and Health Administration (OSHA) said that “Senate Bill 647 would considerably restrict MIOSHA’s ability to issue administrative citations for willful violations of safety and health requirements in appropriate cases, significantly impairing the effectiveness of this aspect of the Michigan State Plan.”

According to OSHA, changes under the bill “are likely to discourage employees from exercising their right to bring possible safety hazards to MIOSHA’s attention without fear of adverse reaction...appear to impose substantial restrictions on MIOSHA’s authority to issue and require compliance with subpoenas, and in general could make it considerably more difficult for MIOSHA to obtain accurate and reliable firsthand information about safety conditions in the workplace.”

In addition to these problems, Senate Bill 647 would impose unwarranted restrictions on the ability of MIOSHA and the Department of Labor and Economic Growth to promulgate administrative rules. I do not support this effort to hinder the effective and efficient administration of Michigan’s workplace safety laws.

For these reasons, I return Enrolled Senate Bill 647 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler’s note:** Enrolled Senate Bill No. 647, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

June 28, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bill 320, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

I believe that education should be the first priority of Michigan teenagers. In an attempt to assure that young people concentrate on school, and do not spend too much time in the workplace distracted from schoolwork, the Youth Employment Standards Act prevents 16- and 17-year old students from spending more than a combined 48 hours per week in school or on the job. As most Michigan students attend school about 30 hours per week, they legally may not work more than 18 hours.

But under Senate Bill 320 these employment standards would be relaxed, allowing high school students to work up to 22 hours per week regardless of the amount of time they spend in school. While I support efforts to reduce administrative burdens for

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employers, I am concerned that increased hours in the workplace for students will lead to decreased performance in the classroom and on standardized tests.

Michigan's economy doesn't just need more workers. To prosper and grow, our state needs better educated workers. Now is not the time to lower standards that encourage our young people to focus on school.

Therefore, I return Enrolled Senate Bill 320 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 320, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

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August 17, 2004

Michigan State Senate  
State Capitol Building  
Lansing, Michigan 48913

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 267. 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 the bill, which has been filed with the Secretary of State.

This supplemental budget bill provides \$779.0 million (**negative \$76.2 million** general fund) for fiscal years 2004 and 2005. It represents an integral part of the efforts to balance the fiscal year 2004 budget in a cooperative manner and I applaud the Legislature for its efforts. The bill also includes debt service funding for fiscal year 2005 State Building Authority obligations.

It should be noted that Sections 203, 602, 802, and 805 are not binding since they attempt to change conditions of appropriations in prior acts without republication. Likewise, Section 806 is unenforceable because it attempts to amend PA 21 of 1950 (Ex. Sess) by reference. Section 804 expresses non-binding legislative intent.

Section 750 would allow the Department of Natural Resources to prorate payments in Lieu of Taxes (PILT) if there is insufficient funding to pay the entire assessment. While I do not disagree with the intent of the boilerplate, it is unenforceable because it attempts to amend PA 451 of 1994 by reference. However, I look forward to working with the Legislature to enact a permanent solution to the shortfall in the PILT account.

I have vetoed the fund shift of \$4.4 million in the Department of Environmental Quality from environmental response funds to the Michigan underground storage tank financial assurance fund (MUSTFA). Any action in this regard is premature since this funding remains under active discussion with legislative leaders as part of budget negotiations.

I thank the Legislature for your work on these supplemental appropriations for fiscal year 2004.

Sincerely,  
Jennifer Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 267, referred to above, became 2004 PA 309.

## VETOES 2004

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September 17, 2004

Michigan House of Representatives  
State Capitol Building  
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5517, the fiscal year 2005 General Government budget bill, which provides funding for the departments of Attorney General, Civil Rights, Civil Service, Information Technology, Management and Budget, State, Treasury, the Executive Office, and the Legislature. 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 that has been filed with the Secretary of State.

Highlights of the bill include:

- \$1.1 billion in state revenue sharing to local units of government to support essential local services, including law enforcement and first responders.
- \$81.5 million for state debt service to ensure prompt payment of current and new debt service obligations. Moody's Rating Service recently continued Michigan's AA1 credit rating, noting that Michigan's debt position is well-managed.
- \$3.0 million to the Department of Civil Service for a Human Resources Optimization Program creating a call center to handle statewide questions, utilize new technologies, and reduce positions in human resources offices throughout the state for additional cost savings over the next five years.

My action today includes vetoes of the carry forward provisions of Sections 307 and 309 because the language sections effectively authorize general fund spending in excess of my recommendation for the Department of Attorney General operations.

This bill supports the essential operations of various agencies in the executive and legislative branches of government. I urge the legislature to take prompt action to finalize the fiscal year 2005 budget. Passage of Senate Bills 1104, 1111 and 1112 will complete my recommendations for distribution of state revenue sharing grants and will adjust the county property tax collection schedule to insure continued funding of essential local services.

Sincerely,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5517, referred to above, became 2004 PA 327.

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September 28, 2004

Michigan House of Representatives  
State Capitol Building  
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5519, the fiscal year 2005 Department of History, Arts and Libraries appropriation bill. 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. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

## VETOES 2004

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This budget provides \$57.1 million (\$45.8 million general fund) in appropriations to maintain and promote Michigan's historical treasures and heritage, encourage the development of the arts and other cultural activities, and to maintain the high quality services offered in our public libraries.

I am especially pleased that in these difficult economic times, we were able to include funding to begin a new and exciting library preservation initiative. Funding appropriated for the Preservation and Access for Michigan (PAM) project will allow for the digitization of unique and specialty collections housed in Michigan libraries statewide. The digital preservation of the selected items will be available to all Michigan citizens via the Michigan electronic Library (MeL).

My action today includes veto of the \$10,000 general fund/general purpose appropriation to the Arenac County Historical Society for the Charity Island Lighthouse preservation project. This project does not meet the guidelines already established for the Michigan lighthouse assistance program.

I thank the Legislature for their work on this fiscal year 2005 appropriation bill. Your tireless efforts to preserve Michigan's rich cultural heritage are appreciated in these times of limited revenues.

Sincerely,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5519, referred to above, became 2004 PA 340.

September 29, 2004

Michigan State Senate  
State Capitol Building  
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 1063, the fiscal year 2005 Department of Community Health appropriation. 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 that has been filed with the Secretary of State.

This bill appropriates nearly \$10.2 billion, an amount which represents a significant commitment to the health of Michigan's citizens. Highlights of the bill include:

- The appropriation of \$7 billion to support the Medicaid program, including Children's Special Health Care Services, which provides health care for over 1.4 million low income residents of Michigan. I commend you for protecting this essential program from major budgetary reductions, even in this constrained economy.
- The provision of over \$2.3 billion to support mental health and substance abuse services. The continuation of this significant level of funding will support quality care for those most in need.
- The appropriation of over \$544 million for other public health and aging programs.

I have vetoed the following appropriations for the reasons noted below.

I vetoed Section 454 because it directed the department to conduct a feasibility study that duplicates efforts already underway to encourage coordination and collaboration among local health and human services agencies.



## VETOES 2004

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Section 1687 was vetoed because it earmarks scarce state resources for a health initiative that, while worthwhile, is targeted to only one facility.

While I have found it necessary to make modifications to the bill you sent me, I have concurred with the vast majority of your budget actions. I appreciate the Legislature's cooperation in the development of a particularly difficult budget and your effort to be fiscally responsible in this time of restricted revenue.

Sincerely,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 1063, referred to above, became 2004 PA 349.

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September 29, 2004

Michigan State Senate  
State Capitol Building  
Lansing, MI 48933

Ladies and Gentlemen:

Today I have signed Enrolled Senate Bill 1066, the fiscal year 2005 appropriations bill for 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 2005 budget for the Department of Environmental Quality and provides over \$340 million for the protection of public health and the preservation of our natural resources. Over \$140 million will be used to provide grants to locals for cleanup and pollution prevention efforts while \$145 million will be used for land, water, and air quality programs. In addition, this bill:

- Provides general fund savings of \$16.3 million by issuing revenue bonds as the state match for the federally funded water pollution control and drinking water revolving fund.
- Provides general fund savings of \$8.2 million by using available refined petroleum funds for refined petroleum related programs.

My action today also vetoes four items with which I do not concur. I have vetoed boilerplate section 904, which earmarks funding for water quality monitoring grants at specific beaches. A Great Lakes Beach Monitoring Grant Program currently exists and these communities are encouraged to apply for funding under that program. I have vetoed boilerplate section 702, which provides \$800,000 for a dioxin bio-availability study, as current law requires the responsible party to pay for this type of study. I have vetoed boilerplate section 903, which earmarks \$250,000 for a real-time water quality monitoring grant for a specific site in the St. Clair watershed. It has not been demonstrated that equipment is available to perform real time monitoring and alternative systems for monitoring the St. Clair watershed are under development at this time. I have vetoed boilerplate section 603, which requires the department to complete the wetland inventory by August 30, 2005.

Finally, I believe that section 210 unduly hinders my authority under federal law to decline any request made to the State of Michigan to divert water from the Great Lakes. My commitment to protect the Great Lakes from water diversion remains steadfast and I will not hesitate to take all necessary and appropriate steps toward that end.

## VETOES 2004

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This bill supports the essential operations of the Department of Environmental Quality for fiscal year 2005. I thank the Legislature for its action on this budget.

Sincerely,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 1066, referred to above, became 2004 PA 350.

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September 30, 2004

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909

Dear Legislators:

Today I have signed Enrolled House Bill 5528, the FY 2005 appropriations bill for the Department of Transportation. 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 vetoes are contained in the attached copy of this bill, which has been filed with the Secretary of State.

This bill provides nearly \$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 \$2.6 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.
- Fulfilling a campaign promise, this bill, coupled with Enrolled House Bill 5319, provides \$12.8 million of additional monies dedicated for critical bridge repairs on local roads as the beginning of a 2-year phased-in annual appropriation of \$25.6 million.
- Provides over \$272.8 million for public transit programs, including \$176.3 million for bus operating assistance grants to local transit agencies.

I have vetoed Sections 617, 621, 623, 624, 625, 626, 633, 634, 728 and a portion of Section 622. The inclusion of these types of special interest projects undermines the legal responsibilities of the State Transportation Commission. Road projects should be selected by transportation experts based on a consistent and objective assessment of need.

In addition, there are several provisions contained in this bill that are unenforceable for the reasons specified below.

1. Section 307 requires legislative approval of the Department's five-year highway construction plan prior to implementation. Based on advice from the Department of Attorney General, this section violates the separation of powers doctrine of Section 2 of Article III of the Michigan Constitution of 1963.

2. Section 365 prohibits expenditures for development of design plans or construction of Alternatives 5, as identified in the US-131 improvements study. This provision violates federal statute, which requires that alternatives must be selected using criteria of the federal National Environmental Policy Act. As a result, this provision is unenforceable if federal funds are to be used for this project.

3. Section 628 prohibits the use of funds to transfer investment management functions from the Mackinac Bridge Authority to the State Treasurer. These functions are already

## VETOES 2004

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vested by law in the State Treasurer. Because this section attempts to amend by reference Section 2 of 1950 (Ex Sess) PA 21, MCL 254.302, it is unenforceable.

4. Section 629 attempts to amend by implication 1969 PA 200, MCL 247.323, relative to criteria for highway closings, and is therefore unenforceable.

5. Section 707 stipulates that the Detroit Transportation Corporation is not an eligible authority or eligible governmental agency for grants funded from this bill. This section attempts to amend by implication Section 10c of 1951 PA 51, MCL 274.660c, and is unenforceable.

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

Sincerely,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5528, referred to above, became 2004 PA 361.

October 11, 2004

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 5113, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

Proponents of this legislation indicate that it is intended to prevent Kent County from being required to increase the number of county commissioners in that county, currently 19, in the event the population of Kent County exceeds 600,000 people and the voters of Kent County approve the adoption of a home rule charter for the county. The stated objective is to allow county government to conduct business efficiently, and I share that objective. However, House Bill 5113 would not affect the number of members of a county board of commissioners in Kent County or any other county. The bill amends Section 4 of Public Act 293 of 1966 to alter the number of charter commissioners authorized, not the number of county commissioners.

Changing the number of members required for a county board of commissioners in a charter county would require amending Section 14 of Public Act 293 of 1966, not Section 4. Under Section 14 (MCL 45.514), a county board of commissioners in a charter county with less than 600,000 people may have between 5 and 21 members and a charter county with more than 600,000 people may have between 5 and 27 members. Accordingly, under current law, if the voters of Kent County were to adopt a home rule charter, Kent County would not be required to increase the number of county commissioners beyond the current 19 should its population exceed 600,000.

Because a change in the law is not necessary to meet the stated objectives of the proponents of House Bill 5113, I return Enrolled House Bill 5113 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5113, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

## VETOES 2004

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October 15, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bill 1279, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The bill would authorize a new voluntary check-off on Michigan income tax returns to allow taxpayers to make contributions of money, in addition to their annual tax obligation, to the Michigan State Parks Endowment Fund.

I believe our parks are important public resources and that we have an obligation to protect and preserve them with a stable funding source. That is why I support maximizing the effective use of the dedicated funds set aside by Michigan taxpayers with their approval of Proposal P for the operation, maintenance, and improvement of state parks.

However, I cannot support Senate Bill 1279 in its current form. Although income tax check-offs can be a valuable tool to support important state managed and operated funds, like the Children's Trust Fund or the Nongame Fish and Wildlife Fund, there is a limited amount of space available on the state income tax form for this purpose. Too many check-offs can lead to more lengthy and complex tax forms, resulting in confusion for taxpayers and delays in the processing of tax returns and refunds.

When I recently signed legislation establishing a check-off for the Military Family Relief Fund, I cautioned that my support of that legislation should not be interpreted as an endorsement of further expansion in the number of check-off contribution options appearing on state income tax forms. Before the state creates any more check-off options we must establish criteria for these check-offs and create a mechanism to ensure the effective management of check-offs. One option would include a rotation of funds eligible for check-off designation so that no more than two can appear on the tax form in any one year.

I invite the legislature to work with this administration to develop legislation that will address my concerns before adding any more check-off options to our state income tax form.

Therefore, I return Enrolled Senate Bill 1279 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 1279, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

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October 15, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bill 145, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The apparent intent

## VETOES 2004

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of this bill is to intervene in a local dispute between two local governments over a road closure.

There are many issues that leaders in local government must confront every day. Some are resolved quickly, others are not. Local officials, not lawmakers in Lansing, are best situated to evaluate and act upon local issues primarily affecting residents of their communities, such as a decision to reopen a local road. Rather than promoting local cooperation and responsibility for resolution of local disputes at the local level, Senate Bill 145 instead is likely to magnify political conflict by encouraging communities to ask Lansing to step in rather than encouraging cooperation and constructive resolution of issues among neighboring communities. I am also concerned that Senate Bill 145 would run afoul of Article VII of the Michigan Constitution of 1963 by interfering with a city's right to reasonable control of its streets and highways.

Because enactment of Enrolled Senate Bill 145 would depart from longstanding state policies favoring local control over local matters and establish bad precedent, I return the bill without signature. I strongly encourage the officials of the two cities involved in the dispute giving rise to this legislation to engage in discussions and to make a commitment to identify a resolution of the issue that is in the best interests of residents, particularly children, of both cities.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 145, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

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November 19, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bills 953 and 955, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. These bills are not fiscally sound and do not address important environmental concerns.

Senate Bill 953 would authorize a new government loan program for the construction and operation of certain agriculture-related energy production systems. The program would divert for up to 15 years money that the state uses daily to pay bills and issue refunds to Michigan taxpayers. That is not fiscally sound. The state currently has no surplus funds to invest, nor, according to the Department of Treasury, will surplus funds be available for loan investments in the foreseeable future. Enactment of this legislation would do nothing more than create false expectations of government intervention in the marketplace.

Senate Bill 955 would exempt from property taxes some types of methane digesters and other systems that use heat to decompose agricultural waste. While proponents have argued that this would offer a new source of alternative energy, I am concerned that this exemption would provide financial rewards for generators of high volumes of manure, such as factory farms, including violators of environmental protection laws, while failing to address the threat to our groundwater posed by the nitrates and other pollutants that are the byproducts of high concentrations of manure. The proponents of this legislation

## VETOES 2004

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have not made a compelling case that tax giveaways for owners of operations that produce high concentrations of manure or those who violate environmental protection laws are in the best interests of Michigan taxpayers.

While I return Enrolled Senate Bills 953 and 955 without signature, I look forward to working with the 93rd Michigan Legislature in developing effective tools to encourage the expanded use of alternative energy technology in Michigan.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill Nos. 953 and 955, referred to above, are compiled in *Michigan Senate Enrolled Bills (2004)*.

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December 28, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bills 591, 1076 and 1079, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. I do so for several reasons.

First, as I have previously indicated, leaders in Wayne County should be allowed to continue improvements to the county's existing mental health delivery system. Time is of the essence, however: if promised changes are not implemented and the system remains broken, I will consider signing a bill that alters the governance structure for the system in Wayne County. But serious flaws with these bills must be remedied. The bills fail to address the 6-6 impasse that often arises under the current structure. Layering an authority upon the existing mental health bureaucracy alone does nothing to increase accountability or improve service.

Secondly, if any legislative solution is going to be devised, all appropriate stakeholders must be involved. This must include input from cities within the region, the county, users of the system, mental health advocacy organizations, and persons employed by the system to ensure their rights and benefits are not inadvertently affected by changes in governance structure.

Thirdly, I note a technical error in Enrolled Senate Bill 1079. The title of the bill incorrectly indicates that the bill amends Section 232a of the Mental Health Code, "as amended by 2002 PA 597." Section 232a was not amended by that public act. I remind legislators and staff to carefully review the title provisions of legislation. Failure to do so may lead to unnecessary litigation.

Let me be clear: I understand the good intent of these bills. However, signing the bills without addressing the structural deadlock will only perpetuate, and possibly exacerbate, the governance impasse and the failure to deliver mental health services to vulnerable people. Accordingly, I return these bills without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill Nos. 591, 1076, and 1079, referred to above, are compiled in *Michigan Senate Enrolled Bills (2004)*.

## VETOES 2004

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December 28, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bills 790 and 854, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

Senate Bill 854 would create an Office of State Recycling Coordinator within the Department of Environmental Quality. Currently one state employee within the Department has such responsibilities. Senate Bill 854 fails to provide any resources to expand that employee's cubicle, let alone fund the creation and operation of an entire new state office devoted to recycling. The Michigan Environmental Council has aptly described this legislation as little more than window dressing.

Senate Bill 790 would require the creation of a new Recycling Advisory Council within the Department of Environmental Quality to study and make recommendations regarding recycling in Michigan. However, a study group was convened last year, and has already made recommendations. In January of 2003, the Senate Majority Leader commissioned a Senate task force to conduct a comprehensive review of Michigan's overall recycling program. In October of 2003 the task force presented its final report, including more than 40 legislative proposals and recommendations, and was praised by the Senate Majority Leader upon receipt. One key finding of the task force, for example, was that the State of Michigan must act to provide a regular source of dedicated funding to further develop and provide long-term support for the state's recycling programs. Despite bi-partisan support, the Michigan Senate has failed to act on this key recommendation.

Michigan does not need yet another study group or a new advisory bureaucracy on recycling. Michigan needs action. That is why I support legislation similar to Senate Bill 721 to provide a stable and long-term source of funding to ensure that all Michigan residents have access to recycling services and reduce our reliance on landfills. I also support expansion of our state's beverage container deposit law along the lines of Senate Bill 174 to include non-carbonated beverage containers.

My message to you and the 93rd Legislature is clear: Let's get to work on real action to encourage recycling in Michigan. Because Senate Bills 790 and 854 represent much hype but no real action, I return the bills without my signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill Nos. 790 and 854, referred to above, are compiled in *Michigan Senate Enrolled Bills (2004)*.

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December 28, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bill 1185, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. I do so

## VETOES 2004

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because the bill would undermine a bipartisan effort begun just last year with widespread support in both the executive and legislative branches to ensure fair, accurate, and complete reporting of property tax obligations.

Taxes are the investment we in Michigan make to educate our children, provide health-care for more than a million people, and protect our families and our neighbors. Whether intentional or not, when an individual or a business underreports personal property or wrongfully claims a homestead exemption, it is unfair to taxpayers who work hard and play by the rules. Senate Bill 1185 undermines necessary incentives to ensure that taxpayers pay what is owed and to penalize those that do not.

Because enactment of this bill would send the wrong message to the Michigan businesses and hardworking individuals who pay their taxes on time and in full, I return Enrolled Senate Bill 1185 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 1185, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.

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December 28, 2004

Michigan Senate  
State Capitol  
Lansing, Michigan 48909-7536

Ladies and Gentlemen:

Today I have vetoed and return with my objections Enrolled Senate Bill 1329, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The bill would permit the operation of snowmobiles on a designated trail within the right-of-way of a limited access highway if the Michigan Department of Transportation and the Department of Natural Resources jointly approve such use.

I recognize the limitations of our existing snowmobile trail system and I support the effort to expand that system and to improve the recreational and economic impact of these trails. The state has been working with local snowmobile groups to address this problem in a safe and sound manner. But we must carefully and comprehensively address not only the appropriateness of allowing snowmobiles to use limited access rights-of-way but also their use on sections of the remaining public highway right-of-way where significant conflicts have been developing between snowmobiles, landowners, and motor vehicles and where public safety is being compromised. Safe travel must be viewed in the context of the entire state system, not just a portion of it.

I am eager to work with the 93rd Michigan Legislature, the Michigan Snowmobile Association, and other interested parties to develop a comprehensive statewide plan and appropriate statutory framework for the safe interaction between snowmobiles and the motoring public.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled Senate Bill No. 1329, referred to above, is compiled in *Michigan Senate Enrolled Bills (2004)*.



## VETOES 2004

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December 28, 2004

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 5844, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The bill would classify as a property tax the “Michigan manufactured housing specific tax levied under the Michigan Manufactured housing specific tax act.” Michigan law does not currently provide for such a tax or include such an act.

Additionally, House Bill 5844 is tie-barred to House Bill 4880, which has not been approved by the 92nd Legislature. I again remind you that as a general rule I am reluctant to sign one measure tie-barred to another without both bills on my desk at the same time as I cannot know the final content of the other bill and how the two are interrelated, if at all.

For these reasons, I return Enrolled House Bill 5844 without signature.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5844, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.

December 28, 2004

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 5467, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. The bill would penalize couples who had not taken marriage education courses by forcing a delay in issuing a marriage license.

Let me be clear: Marriage preservation is a very important issue. But the decisions men and women make about marriage are private decisions. State government should not expand its role into such private affairs when such expansion is neither effective nor appropriate.

As indicated by my earlier signature of Enrolled House Bill 5472, now Public Act 376 of 2004, I am willing to work with the House and Senate on appropriate public issues relating to marriage preservation. Should the 93rd Michigan Legislature seek to proceed along a similar path, I urge legislators to begin with an examination of those states with the lowest divorce rates and an identification of those policies that have proven most effective in encouraging marriage and nurturing healthy family relationships. I would also point to House Bill 5474, which would allow retired clergy to perform volunteer counseling, as one example of the type of legislation I could support were it not tie-barred to other legislation that inappropriately expands the role of state government.

The Legislature's ill-advised decision to tie-bar House Bill 5467 to eleven other bills—including other bills that overreach *and* other bills that I could support—now ensures that

## VETOES 2004

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none of the bills in this package will become law. I hope we can pursue a more reasoned approach in the new year.

Respectfully,  
Jennifer M. Granholm  
Governor

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**Compiler's note:** Enrolled House Bill No. 5467, referred to above, is compiled in *Michigan House Enrolled Bills (2004)*.