



STATE OF MICHIGAN  
OFFICE OF THE GOVERNOR  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

JOHN D. CHERRY, JR.  
LT. GOVERNOR

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

Ladies and Gentlemen:

Today I have vetoed and return without signature Enrolled House Bill 4617. I cannot approve this legislation because the bill would slow economic redevelopment, place our valuable natural resources at additional risk from contamination, and eliminate critical protections for public health. Rather than protecting property owners, residents, and their environment, the bill would:

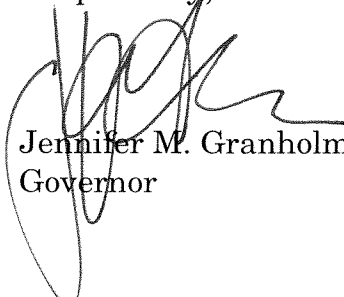
- Hinder the state's ability to respond to all significant risks to public health and the environment;
- Increase the costs and slow the pace of environmental cleanup and redevelopment activity by mandating unnecessary testing, prolonging uncertainty;
- Create opportunities for polluters to delay cleaning up the contamination they cause, while increasing the burden on the state;
- Provide polluters inappropriate protections, allowing them to avoid responsibility for cleaning-up environmental contamination; and
- Limit critical information homeowners, renters, and others need about environmental contamination.

In addition to these deficiencies, House Bill 4617 is poorly drafted, containing incomplete citations to administrative rules. These technical problems were identified by the Department of Environmental Quality yet were ignored during the legislative process. These technical omissions have consequences. By referencing the incorrect rules, this legislation would foreclose the ability of the state to protect surface water from contamination, increasing health risks for homeowners and Michigan's environment.

While I have vetoed this legislation, I want it to be clear that I share the concerns of many about the Department of Environmental Quality's handling of remediation efforts relating to dioxin in Midland and along the Tittabawassee River. Action taken already this year significantly narrows the scope and number of homes affected by the contamination, and more clearly outlines protections for homeowners, including the ability to influence the scientific process the Department of Environmental Quality uses in making determinations about the levels and scope of environmental contamination. I also am supportive of further changes to improve the process followed by the Department of Environmental Quality, including enhanced opportunities for potentially affected homeowners to provide data.

Michigan homeowners deserve protections for their investments, but changes in Michigan law that threaten the protection of public health and the environment under the guise of homeowner fairness are not acceptable. I have instructed the Department of Environmental Quality to work with you in crafting legislation that strikes an appropriate balance. House Bill 4617 does not. An excellent starting point for discussion on revised legislation would be the compromise substitute bill offered but never considered during the legislative process. The final product should include a meaningful opportunity for homeowners to present information regarding their property without sacrificing necessary protections for public health and the environment.

Respectfully,



Jennifer M. Granholm  
Governor