



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

JOHN ENGLER
GOVERNOR

July 23, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have vetoed and am returning to you herewith Enrolled House Bill 4990.

Enrolled House Bill 4990 would increase the maximum number of members permitted to serve on the Special Education Advisory Committee (SEAC). I fully support special education services for our children. However, I have traditionally opposed, and oppose in this instance, increasing membership of state advisory boards or committees when not absolutely necessary.

Currently the SEAC is located in the Department of Education, and its members are appointed by the State Board of Education. The membership is capped in state law at 27. Enrolled House Bill 4990 proposes an increase in the SEAC to comply with a 1997 federal amendment to the Individuals with Disabilities Education Act (IDEA) that required representation of two new very important areas, transition services and charter and private schools. The federal amendment also required that 51 percent of the SEAC's members be persons with a disability or the parents of persons with a disability.

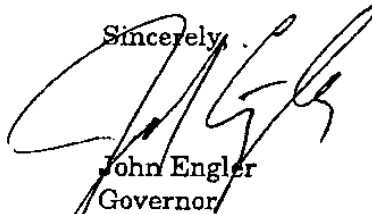
I support the 1997 federal amendment; however, I do not believe the SEAC needs more members to comply with its provisions. The SEAC is currently operating with 51 percent of its members meeting the disability requirement and recently added the two new federally required groups. The State Board of Education has already increased, in direct violation of state statute, the membership on the committee to 29. Rather than increasing the number of SEAC members, the State Board of Education should work together and utilize their eight at-large member appointments to meet federal and state requirements.

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With the right leadership, the State Board of Education could easily rearrange the current membership on the SEAC to meet federal and state requirements. I believe they can maintain the 27 members currently allowed by state law and in that number include the two new federally-required representatives and remove voting members that overlap responsibilities or groups that are not statutorily required.

As mentioned before, I wholeheartedly support special education services in Michigan and believe this advisory committee is important. I also believe that more members on the SEAC are not necessary to achieve its goals. For this reason, I am returning Enrolled House Bill 4990 without signature.

Sincerely,



John Engler
Governor

cc: Michigan Senate
The Honorable Candice Miller