



STATE OF MICHIGAN  
OFFICE OF THE GOVERNOR  
LANSING

GRETCHEN WHITMER  
GOVERNOR

GARLIN GILCHRIST II  
LT. GOVERNOR

June 3, 2021

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

Representatives,

Today I am returning Enrolled House Bill 4448 to you without approval. This bill would prohibit an executive order, proclamation, or directive issued under the Emergency Management Act from extending the response time or otherwise limiting the duties of a public body under the Freedom of Information Act.

HB 4448 appears to be a response to Executive Order 2020-38, which I signed on April 5, 2020, and was in effect for only 60 days. This order was designed to protect the lives of public officials tasked with responding to FOIA requests during the first surge – an exceptionally frightening and uncertain moment in Michigan's history. EO 2020-38 was limited in scope and did not change FOIA's core requirement that public bodies respond to FOIA requests in a timely manner.

As we begin to emerge from this once-in-a-lifetime pandemic, the lessons learned over the past fifteen months serve as a stark reminder that we cannot predict how the next disaster or emergency we confront may threaten the lives of Michiganders. For that reason, I have said repeatedly that I will not sign bills that constrain the governor's ability to protect the people of Michigan.

Although I am vetoing Enrolled House Bill 4448, I remain committed to the principle articulated in Executive Directive 2019-11 that a request for a public record under the Freedom of Information Act be a user-friendly process that makes state government more accessible—not the opposite.

Sincerely,

Gretchen Whitmer  
Governor