



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

December 29, 2020

Michigan State Senate
State Capitol
Lansing, MI 48909-7536

SENATE ENROLLING
DEC 30 '20 AM 9:21

Senators,

Today I have signed Enrolled Senate Bill 748, which makes supplemental appropriations for fiscal years 2019-2020 and 2020-2021.

Heading into the final days of this legislative session, I urged the Legislature to pass a limited supplemental that was laser-focused on relief for working families and small business owners and the state's public health response to the COVID-19 pandemic. While this bill delivers on some of those promises, it includes a number of items that strayed from that principle.

It was incumbent upon all of us to avoid the temptation to spend limited dollars on anything outside of our basic public health needs and an economic stimulus. Unfortunately, the Legislature decided at the eleventh hour to scrap our collaborative process and included a number of projects that we don't have the revenue for at this time, along with favors for special interests. For that reason, I have disapproved 11 items pursuant to article 5, section 19 of the Michigan Constitution of 1963. The specific item vetoes are detailed in the attached copy of the bill that has been filed with the Secretary of State.

To provide direction regarding the implementation of this appropriations act, I note the following:

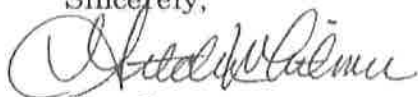
Article 4, section 22 of the Michigan Constitution provides: "All legislation shall be by bill and may originate in either house." Moreover, article 4, section 33 of the Michigan Constitution provides, in part: "Every bill passed by the legislature shall be presented to the governor before it becomes law . . ." Boilerplate that purports to authorize legislation other than by bill impermissibly skirts the bill requirement of section 22 and the presentment requirement of section 33. For that reason, sections 203 and 1203 are unenforceable.

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Article 4, section 24 of the Michigan Constitution provides, in part: "No law shall embrace more than one object, which shall be expressed in its title." Boilerplate that requires a state department to create a program without providing an appropriation for that purpose is not germane to this supplemental appropriations bill. For that reason, section 502 is unenforceable.

Thank you for your attention to these matters.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gretchen Whitmer".

Gretchen Whitmer
Governor

cc: Michigan House of Representatives
The Honorable Jocelyn Benson