



STATE OF MICHIGAN  
OFFICE OF THE GOVERNOR  
LANSING

GRETCHEN WHITMER  
GOVERNOR

GARLIN GILCHRIST II  
LT. GOVERNOR

September 30, 2019

Michigan State Senate  
State Capitol  
Lansing, MI 48909-7536

Senators,

I have signed Enrolled Senate Bill 137, which makes appropriations for the Department of Environment, Great Lakes, and Energy for the fiscal year ending September 30, 2020. I have, however, disapproved five 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:

- Sections 221 and 601 violate article 4, section 25 of the Michigan Constitution of 1963, and are therefore unenforceable.
- Sections 220 and 601 violate article 4, section 24 of the Michigan Constitution of 1963, and are therefore unenforceable. These sections also violate the separation of powers required by article 3, section 2, among other provisions of the Michigan Constitution of 1963, and are therefore unenforceable on that basis as well.
- Finally, those provisions of this bill that express merely the intent, advice, preferences, or wishes of the legislature do not impose conditions upon appropriations and are non-binding.

Thank you for your attention to these matters.

Sincerely,

Gretchen Whitmer  
Governor

cc: Michigan House of Representatives  
The Honorable Jocelyn Benson

2019 OCT 21 AM 9:04