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GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

September 30, 2019

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

Representatives,

I have signed Enrolled House Bill 4238, which makes appropriations for the Judiciary for the fiscal year ending September 30, 2020. I have, however, disapproved one item pursuant to article 5, section 19 of the Michigan Constitution of 1963. The specific item veto is 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 215, 216, and 217 violate the separation of powers required by article 3, section 2, among other provisions of the Michigan Constitution of 1963, and are therefore unenforceable.
- Section 215 also violates article 4, section 24 of the Michigan Constitution of 1963, and is 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 Senate
The Honorable Jocelyn Benson

FILED WITH SECRETARY OF STATE

ON 9/30/19 AT 7:28 P.M.

