



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

March 9, 2021

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

Representatives,

Today I am returning Enrolled House Bill 4049 to you without my approval.

Following the 1918 Spanish Flu Pandemic, the Legislature granted the then-equivalent of the Director of the Department of Health and Human Services broad power to issue orders to contain and eradicate epidemics. This bill would prohibit the use of epidemic orders to close a school to in-person instruction or prohibit a sporting event during the COVID-19 epidemic. The bill would also severely limit the ability of local health departments to do the same.

Both schools and sports are open in Michigan at this time. My administration has worked tirelessly to mobilize testing resources to enable a return to in-person school across this state. I set a goal that all schools return to in-person instruction by March 1, and 97% rose to the occasion. Sports, similarly, have resumed, subject to protections designed to keep both the participants and the community safe. Why the Legislature rushed this bill to my desk while they continue to let billions of dollars for schools and aid to Michigan families gather dust is a mystery to me.

I received a veto request letter for House Bill 4049 from the Michigan Association for Local Public Health (MALPH), noting MALPH's firm opposition to this legislation. COVID-19 does not care about school district or local health department jurisdictional boundaries. As such, there may be times when a statewide order is necessary to protect Michiganders. Moreover, because school district boundaries in Michigan often cross county and health department boundaries, placing such authority exclusively at the local level makes little sense.

My number one priority has always been the safety and wellbeing of the people of Michigan. The pandemic has been hard on all of us. Our administration has stayed focused on doing the right things: acting decisively, following the science, and listening to the experts. Our actions have helped get the pandemic under control and rebuild the economy – but there's still more work to do. Let's keep doing what needs to be done now so we can return to a strong economy and normal day-to-day activities. For most Michiganders, that means continuing to practice masking and social distancing. For the Legislature, that means moving the billions in remaining federal dollars for Michigan out the door as quickly as possible.

House Bill 4049 is a reckless idea, poorly executed and poorly timed. I am vetoing it.

Sincerely,

Gretchen Whitmer
Governor

cc: Michigan Senate
The Honorable Jocelyn Benson