



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 149, which makes appropriations for the Department of Transportation for the fiscal year ending September 30, 2020. I have, however, disapproved 10 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 382, 403, and 805, as well as subsection (2) of section 301, subsection (2) of section 386, and subsection (1) of section 804, violate article 4, section 25 of the Michigan Constitution of 1963, and are therefore unenforceable.
- Sections 209, 215, 381, and 752, as well as subsection (2) of section 305, violate article 4, section 24 of the Michigan Constitution of 1963, and are therefore unenforceable. Nevertheless, the State Budget Office will make a good-faith effort to comply with the requirements of section 209.
- Sections 215, 353, and 752 violate the separation of powers required by article 3, section 2, among other provisions of the Michigan Constitution of 1963, and are therefore unenforceable.
- Sections 403 and 805, as well as subsection (2) of section 386 and subsection (1) of section 804, violate article 5, section 28 of the Michigan Constitution of 1963, and are therefore unenforceable.
- Section 306 is unenforceable to the extent that it assigns the auditor general powers and duties other than those specified in article 4, section 53 of the Michigan Constitution of 1963.

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- 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,

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

Gretchen Whitmer
Governor

cc: Michigan House of Representatives
The Honorable Jocelyn Benson