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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 4232, which makes appropriations for the Department of Education 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 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:

- Section 222 violates article 4, section 24 of the Michigan Constitution of 1963, and is therefore unenforceable.
- Sections 236, 237, and 238, which purport to place 75% of the total appropriations to the Department of Education into "administrative reserve funds" under the control of the legislature, amount to an attempt to condition the department's expenditure of appropriated funds on further legislative approval. They therefore violate the separation of powers required by article 3, section 2, among other provisions of the Michigan Constitution of 1963, and are unenforceable.
- 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.

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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 Senate  
The Honorable Jocelyn Benson

FILED WITH SECRETARY OF STATE

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