



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
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GRETCHEN WHITMER
GOVERNOR

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LT. GOVERNOR

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

Representatives,

We have a remarkable record of collaboration. We should build on that momentum and stay focused on growing our economy, creating good-paying jobs, and delivering on the kitchen-table issues. Over the last couple of years, we have funded schools, built roads and bridges, and protected public safety. With last year's adoption of a bipartisan economic development package, we have landed a \$7 billion, 5,000-job investment from General Motors, a \$1.7 billion, 1,200-job investment from LG Energy Solution, and a \$2 billion, 3,200-job investment from Ford. When we put Michiganders first, we can get things done.

Unfortunately, House Bill 4568 is not legislation that I can sign. It was passed in violation of Article IV, § 24 of the Michigan Constitution and is therefore invalid and unenforceable. Under section 24, "[n]o bill shall be altered or amended on its passage through either house so as to change its original purpose as determined by its total content and not alone by its title." Here, the "total content" of the bill that has been presented to me—a broad change to the tax code—does not reflect the bill's "original purpose," which was to extend a tax filing deadline. Indeed, House Bill 4568 does not even grant taxpayers an automatic extension.


The constitutional defects of this hurried process are both glaring and obvious. The bill was passed in open disregard of the constitutional rules that are meant to protect Michiganders' rights to evaluate proposed laws and make their voices heard before those laws are adopted. As I said in 2012 when I was a senator and the Republican-controlled legislature pulled a similar stunt, "our Constitution requires us to follow certain rules and processes and subject your actions to the voters and not just ram things through by entirely replacing bills with new content." That position was later vindicated in court. See *Toth v. Callaghan*, 995 F.Supp.2d 774 (E.D. Mich. 2014). Because this bill would be subject to a similarly strong legal challenge, signing it would sow uncertainty about the legality of much of the tax code. Therefore, I am returning House Bill 4568 to you without my signature.

I have put forward a plan to provide relief for Michiganders right away while balancing our budget and assuring that we can make—and can continue to make—the investments necessary for our state's future. I have called for a holiday on the sales tax on gas to put money back into Michiganders' pockets right now. My plan to roll back the Retirement Tax

will save half a million seniors an average of \$1,000 per year. And my plan to triple the Earned Income Tax Credit will put nearly \$3,000 in the pockets of 730,000 working families. Cutting taxes for seniors and working families will make a real difference for people who are struggling right now to pay the bills and put food on the table.

I look forward to meeting with you in the coming days to discuss next steps on a comprehensive approach to support Michigan's working families. With billions in additional revenue and a growing economy, we have a historic opportunity to negotiate a balanced, bipartisan budget that offers real inflation relief right now. Let's work together to invest in our shared priorities like getting our kids back on track, funding local police, and fixing our crumbling roads and bridges.

Sincerely,



Gretchen Whitmer
Governor