



STATE OF MICHIGAN  
OFFICE OF THE GOVERNOR  
LANSING

GRETCHEN WHITMER  
GOVERNOR

GARLIN GILCHRIST II  
LT. GOVERNOR

**EXECUTIVE DIRECTIVE**

**No. 2019-13**

To: State Department Directors and Autonomous Agency Heads  
From: Governor Gretchen Whitmer  
Date: March 28, 2019  
Re: Public Act 359 of 2018

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Last December during the final days of the 99th Michigan Legislature, Senate Bill 1197 of 2018 was passed and presented to my predecessor as governor. He signed the bill and transmitted it to the former secretary of state, who assigned Public Act Number 359 of 2018 ("Act 359") to the bill. At the time, I had not yet assumed the duties of governor, but several questions regarding the constitutionality of the legislation arose.

On January 1, 2019, in my first official action as governor, I sought the opinion of the new attorney general on several questions of law relating to the legislation. In response, the attorney general has issued an opinion concluding that Act 359 is unconstitutional because it violates the Title-Object Clause, section 24 of article 4 of the Michigan Constitution of 1963.

As governor, I have a duty to uphold the Michigan Constitution and to take care that state laws are faithfully executed. Given the constitutional infirmity of Act 359, and pursuant to sections 1 and 8 of article 5 of the Michigan Constitution of 1963, I direct the following:

1. State departments and autonomous agencies shall not take any action authorized by, in furtherance of, or dependent upon Act 359.
2. Each state department and autonomous agency shall report to my legal counsel any actions taken by the department or agency that were authorized by, in furtherance of, or dependent upon Act 359.
3. This directive is effective immediately.

Thank you for your cooperation in implementing this directive.



A handwritten signature in blue ink that reads "Gretchen Whitmer".

Gretchen Whitmer  
Governor