

Senators Pappageorge, Jansen, Brandenburg, Nofs, Anderson, Green, Proos, Colbeck, Kowall, Gregory and Kahn offered the following resolution:

Senate Resolution No. 34.

A resolution to declare any statement or comment by the Governor on legislative intent or enforceability that is expressed in a veto message that applies to a portion of law that is not vetoed to have no legal effect.

Whereas, The people of the state of Michigan have consistently incorporated separation of powers between the executive, legislative, and judicial branches into the State Constitution; and

Whereas, The separation of powers doctrine is both necessary and significant to the preservation of the representative form of government on which both this state and nation are founded; and

Whereas, Article 3, Section 2 of the Michigan Constitution of 1963 states: "The powers of government are divided into three branches: legislative, executive and judicial. No person exercising powers of one branch shall exercise powers properly belonging to another branch except as expressly provided in this constitution"; and

Whereas, The legislative power of the state of Michigan is vested in the Senate and House of Representatives, and the legislative branch is granted explicit authority to appropriate revenues of the state and control how they are allocated; and

Whereas, In accordance with the Michigan Constitution, the Legislature enacted House Bill No. 5365 of 2012 to direct appropriations for fiscal year 2013; and

Whereas, Governor Snyder's June 26, 2012, veto letter declared boilerplate sections 803 (Article I), 925(2), section 925a (Article VIII), section 341 (Article XII), section 703(1) (Article XIII), and section 384 (Article XVII) to be unenforceable; and

Whereas, Governor Snyder's June 26, 2012, veto letter declared boilerplate sections that express legislative intent to be unbinding; now, therefore, be it

Resolved by the Senate, That we hereby declare any statement or comment by the Governor on legislative intent or enforceability that is expressed in a veto message that applies to a portion of law that is not vetoed to have no legal effect; and be it further

Resolved, That a copy of this resolution be transmitted to Governor Snyder and each member of the 2013-2014 Michigan Legislature.