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Appeals Court Rules Against Attorney General Nessel in Enbridge vs. Michigan; Business Leaders Support an Appeal to Michigan Supreme Court

Yesterday the Court of Appeals ruled that a law passed during the 2018 lame duck session to allow Enbridge to pursue a pipeline tunnel under the Mackinac Straits to replace its aging Line 5 oil pipeline, is constitutional. Michigan's Attorney General Dana Nessel argued that the drafting of the bill violated the 'title-object' clause of Michigan's constitution because the title of the bill misrepresented the law's true purpose, "because its provisions go beyond the scope of what was disclosed in its title," according to a Nessel opinion.

Members of the Great Lakes Business Network (GLBN) are calling on Attorney General Nessel to appeal this decision to the state Supreme Court, and the group stands ready to support her efforts.

According to GLBN member Chris Shepler, president of Shepler's Mackinac Island Ferry, which operates within the shadow of the Mackinac Bridge, "The 2018 lame duck legislation that would have connected a tunnel for the aging Enbridge oil pipeline with our treasured Mackinac Bridge was poorly thought out from the start. Their hurry-up attempt to modify the bill in the last days of the session could have easily been done incorrectly, and I applaud the effort of the attorney general to follow the letter of the constitution."

Rich Bergmann, GLBN member and owner of Round Lake Hospitality Group, based in nearby Boyne City, is also opposed to the 2018 tunnel bill. "Governor Snyder concocted the tunnel idea behind closed doors with a foreign corporation in the last weeks of his term, and then tried to get the legislature to ram it through with virtually no public or legal review. The absurdity of linking an oil tunnel to the Mackinac Bridge was quickly understood, but the way the legislature changed the bill so quickly allowed literally no time for review."

Beryl Skrocki, GLBN member and owner of Sleeping Bear Surf and Kayak echoes her support for the attorney general and her effort to decommission Line 5. "The aging Line 5 pipeline threatens the well-being of our businesses and communities throughout the Great Lakes region, and we cannot continue to put our irreplaceable, precious natural resources at risk. We must shut down Line 5 and protect our fresh waters from an oil disaster that would destroy our businesses and way of life."

The Great Lakes Business Network is a coalition of more than 170 business leaders working across six states to protect the Great Lakes from environmental threats. The Great Lakes Business Network is fact-based, non-partisan and focused on pragmatic advocacy devoted to the principle that clean Great Lakes are essential for a strong Great Lakes economy. To learn more about the GLBN campaign to decommission Line 5, please [visit our website to review our position statement](#).