



March 17, 2023

The Honorable Secretary of State, Chuck Gray
Secretary of State's Office
Herschler Building East,
122 W. 25th Street, Suites 100
Cheyenne, Wyoming 82002

RE: Line-Item Veto of HB0195/HEA No. 0091 American rescue plan act appropriation-amendments

Dear Secretary Gray,

Wyoming has faced many challenges in implementing the federal American Rescue Plan Act (APRA) and I remain concerned about the impacts this level of funding will have on our national debt as well as Wyoming's deepening dependence on federal largess. That is why I have placed a premium on using the federal funds for projects that can benefit future generations since our grandchildren are likely the ones who will have to pay off this deficit.

Understanding the federal constraints on uses for these dollars, I believe this bill does well at directing these remaining funds for strategic investments. The State of Wyoming has already used this allocation to beef up infrastructure that will benefit citizens for decades to come.

That said, I did believe it proper to use my line-item veto authority in footnotes 16 and 18 thereby allowing applications submitted under the local government program that are also eligible for the health and human services infrastructure and capital construction investments or the water and wastewater programs to qualify for consideration for the additional grants under those programs. This will make for a more efficient use of the remaining ARPA dollars ensuring that they have their most significant and beneficial impact.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Gordon", is written over the word "Sincerely,".

Mark Gordon
Governor

MG:rm:kh

cc: The Honorable Albert Sommers, Speaker of the House
The Honorable Ogden Driskill, President of the Senate
Chief Clerk, Wyoming House of Representatives
Chief Clerk, Wyoming Senate

ENROLLED ACT NO. 91, HOUSE OF REPRESENTATIVES

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2023 GENERAL SESSION

APPROPRIATION	OTHER FUNDS
FOR	\$

(iii) Expenditure of the grant by the recipient is conditioned upon a match of funds in the ratio of one dollar (\$1.00) of grant funds to not less than one dollar (\$1.00) from any other source, including in-kind contributions to the project, except that the state loan and investment board may modify this matching requirement upon determination of need as provided in paragraph (a)(ii) of this footnote;:-

MLB
(iv) The state loan and investment board shall only consider applications for grants available under subsections (a) through (c) of this footnote that were submitted on and before January 23, 2023
~~for grants under subsections (a) through (c) of this footnote.~~

(b) Of this appropriation to the office of state lands and investments, seven million dollars (\$7,000,000.00) ARPD shall be for the purpose of providing grants to community mental health center regional crisis stabilization facilities and women's substance use disorder facilities.

(c) Of this appropriation to the office of state lands and investments, fifteen million dollars (\$15,000,000.00) ARPD shall be for the purpose of providing grants to rural health clinics. Grants from this appropriation shall be determined by the state loan and investment board. The following conditions shall apply to this appropriation:

(i) Up to thirteen million dollars (\$13,000,000.00) ARPD may be expended to provide grants related to costs incurred by rural health clinics for qualifying infrastructure and capital construction investments;

(ii) Up to two million dollars (\$2,000,000.00) ARPD may be expended to provide grants for rural telehealth pilot projects.

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(iii) The state loan and investment board shall only consider applications for grants available under this footnote that were submitted on and before January 23, 2023 for grants under this footnote. *ML*

19. This appropriation to the University of Wyoming is for the family medical residency program.

~~20. This appropriation to the University of Wyoming WWAMI medical education program is to be expended solely for student tuition and fees if determined in writing by the Wyoming attorney general to be permissible under state and federal law. The Wyoming attorney general's written determination shall be provided to the state auditor's office before funds are released for the university from this appropriation.~~

21. This appropriation to the department of corrections is for purposes of resolving the substance use disorder treatment backlog created by the COVID-19 public health emergency.

22. (a) This appropriation to the Wyoming business council is for purposes of increasing broadband connectivity to improve access to and meet the increased need for reliable high-speed internet service. In administering funds distributed and expended under this footnote, the Wyoming business council shall:

(i) Include performance requirements in its contracts with grant recipients, which performance requirements shall, at a minimum, require the grant recipient and any successor in interest to offer and provide continuous service to broadband customers during at least the first seven (7) years after substantial completion of the relevant project for which grant funds were expended;

(ii) Strive to increase the availability of broadband services available in Wyoming rural, unserved and underserved areas in Wyoming cities, towns and counties;