



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: Veto of SF0131/ SEA No. 0076 Prohibition on delivery of unsolicited ballot forms

Dear Secretary Gray,

During the last election cycle, election integrity and security were campaign issues for several candidates as well as a concern raised for voters. Throughout this legislative session, election bills were brought forward to address these voter concerns and follow through on campaign promises. I want to be clear, at no time have I been presented with facts of fraud, mismanagement, or malfeasance in Wyoming's election process. Even so, over the past month, I have signed those bills, which strengthen election integrity and security, such as codifying existing election rules. SF0131, as delivered to my desk, is superfluous and potentially confusing. Consequently, I must veto SF0131.

SF0131 was brought forward to address the possibility for voter confusion and subsequent irritation brought about by the distribution of certain campaign materials in the last election. In a vain attempt to promote absentee voting, one statewide campaign sent a mailer with a misleading "OFFICIAL ELECTION DOCUMENT ENCLOSED" marking on the front of the envelope. Such an assertion of "official election" material understandably could cause confusion and anger some voters. It is important to note, however, that at no time did this tactic put at risk the integrity or security of Wyoming's elections because without exception Wyoming law obliges a qualified elector to contact their County Clerk and submit the required identifying information in order to receive a ballot and vote in an election.

During the debate on SF0131, the Senate adopted a useful amendment which directly dealt with the potential for confusion created by a misleading mailer through including the clarifying language "which claims to be an official election document" in the bill. Regrettably, some members of the House saw fit to take action to strike this useful Senate amendment while a number of its members were temporarily not on the floor. Without the benefit of the Senate's clarifying language, the intent of the legislation has been muddled to the point where signing SF0131 as currently written could well result in unintended consequences that would compromise election confidence and integrity.

Moreover, in its current form, the bill might provide a means to inappropriately suppress proper absentee voting. For these reasons, I veto SF0131.

Sincerely,



Mark Gordon
Governor

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