



March 10, 2022

The Honorable Dan Dockstader  
President of the Wyoming Senate  
Wyoming Senate  
200 W. 24th Street, Capitol Building, E201  
Cheyenne, Wyoming 82002

Re: 2022 Senate Enrolled Act 14 – Wyoming Gaming Commission-scrivener error correction.

Dear President Dockstader:

Through Senate Enrolled Act 14, Wyoming's 66th Legislature adopted a much needed correction to 2021 Wyoming Session Laws, Chapter 109 (2021 Senate File 56). The 2021 law was intended to lift the sunset date on the Legislature's 2020 authorization of skill games while retitling and expanding the membership of the Parimutuel Commission and its scope to include skill games present in the state at the time. Instead unfortunately, the 2021 law unwittingly repealed the statute that created the Gaming Commission. I appreciate the 66th Legislature's attention and subsequent swift action to correct the portion of this error relating to the membership and naming of the Gaming Commission through Senate Enrolled Act 14.

I am, however, disappointed that the Legislature did not introduce a bill this session to limit the expansion of skill game expansion across the state to those that were contemplated in the 2020 session bill. The plain language of 2021 Wyoming Session Laws, Chapter 109 allows new skill game applicants to seek licensure from the Gaming Commission. Moreover, as long as the statutory criteria is met by the applicant, the Gaming Commission must grant such licensure. The 66th Legislature never expressly considered the question of expansion even though reportedly there are several opinions on this topic.

During our multiple meetings on this issue, some legislators advised that in adopting 2021 Wyoming Session Laws, Chapter 109, they did not intend to bring more skill games into the state. Other legislators, however, advised that the law's plain language accurately reflected their intent to open up skill game licensure to new applicants. I had hoped – and would have appreciated – the Legislature's consideration of a statutory amendment imposing a maximum cap on the number of skill game machines lawfully able to operate in Wyoming; but no such

amendment was considered this session. Such an amendment would have either succeeded or failed thereby indicating the will of the Legislature on this topic.

I am left with an incomplete solution to this question of expansion. Thus, I must conclude: if the legislative intent to expand skill games were unclear before, it no longer is. By adopting in 2021 the plain language authorizing new skill game applicants to seek and obtain licensure - and by failing to even consider alternative language this session - the Legislature, as a body, clearly intended to allow the number of skill game licensees to grow.

Although I personally do not agree with the policy to further expand skill games in Wyoming without giving local jurisdictions at least some say in the matter, I recognize that I must nonetheless sign Senate Enrolled Act 14. My failure to do so would result in a chaotic outcome, at best resetting the clock and at worst enabling skill games and online sports betting to be present in Wyoming but without an appropriate regulatory body to oversee their operations.

I would like to once again express my hope that in future sessions, the Wyoming Legislature will reassess whether a limit on the number of skill game operators, vendors, and machines should be imposed, or if local governments should have the authority to prohibit skill games in their jurisdiction. That future discussion will be especially needed as we witness the growth of skill games and gambling expand over the course of the next year. To default into such a posture vis-à-vis gaming without a substantive legislative discussion related to expansion in this session is truly a disappointment.

Sincerely,



Mark Gordon  
Governor

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cc: Ellen Thompson, Chief Clerk