

HB 137
HEA 107

MATTHEW H. MEAD
GOVERNOR

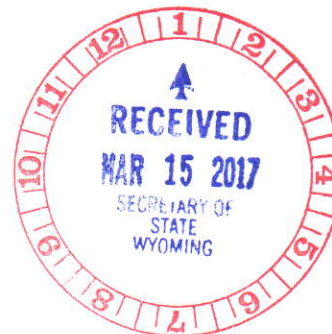


2323 Carey Avenue
CHEYENNE, WY 82002

Office of the Governor

March 14, 2017

The Honorable Edward F. Murray, III
Secretary of State
2020 Carey Ave 6th Floor
Cheyenne, WY 82002



Dear Secretary Murray,

I have vetoed House Enrolled Act (HEA) 107, original House Bill 137, Wyoming Repeal Gun Free Zones Act.

We, as a nation and in Wyoming, have been fiercely protective of our Second Amendment rights for more than two hundred years. The right to bear arms is an important individual right and key to Wyoming heritage and culture. Over the years, I have instructed the Attorney General to weigh in on ten national challenges to protect the right to keep and bear arms (see attached). I have worked to recruit and welcome gun manufacturing businesses to Wyoming. These companies have chosen Wyoming in part because of our strong Second Amendment stance.

My support is further underscored by actions I have taken to sign and implement the following laws:

- 2011 SEA70 authorizing the concealed carry of weapons without a permit within existing provisions of the law.
- 2011 HEA70 allowing the use of defensive force to protect one's home also known as the "castle doctrine."
- 2013 SEA78 authorizing the use of silencers while hunting.
- 2016 HEA22 allowing Wyoming military members to apply for concealed carry permits without physical presence in the state.
- 2016 SEA13 making firearms exempt from execution attachment by court order in bankruptcy and civil judgment actions.

This session I will sign HEA93, school safety and security. This law allows local school boards to authorize employees to carry concealed deadly weapons under well thought out conditions. I will also sign HEA120, allowing felons to possess antique firearms.

Secretary Murray

March 14, 2017

RE: veto of House Enrolled Act (HEA) 107, Wyoming Repeal Gun Free Zones Act

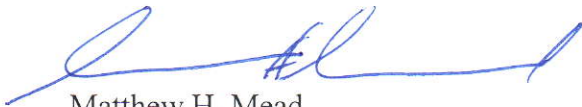
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In reviewing HEA107, I hear many interpretations as to what it would or would not accomplish. There is, however, uniform agreement that this act removes the ability of local elected officials to govern the carry of concealed weapons into local meetings and events. We place great value on government closest to the people, in cities, towns and counties. In fact, I note the Wyoming Association of Municipalities opposes HEA107, particularly the loss of local control. It is important to point out that this bill has not altered legal "open carry" of firearms in meetings.

The language regarding concealed weapons at legislative meetings differs from language used for local governmental meetings and all other government meetings. The Legislature creates a greater likelihood that concealed weapons are barred from its meetings as opposed to other public meetings. I am not certain the Legislature intended to have greater restrictions for concealed carry in its meetings versus, for example, a county commissioner meeting. If that was the intent, an explanation is necessary as to why. If the bill is suited for local government, why not for the legislative body?

This bill is murky. A law of this import must be thoughtful and clear – not subject to question or misinterpretation. Supporters of this bill suggest that this approach, when implemented in other states, has made public and government entities safer. Detractors argue it makes people less safe. Repeal of gun free zones should have the benefit of a full review by a joint legislative committee during an interim period between sessions. This allows for full discussion and involvement of the public – in particular an opportunity for local governments to weigh in on the issue. I encourage the Legislature to make this a topic of interim study.

Sincerely,



Matthew H. Mead
Governor

MHM:dp

Encl.

cc: The Honorable Eli Bebout, President, Wyoming Senate
The Honorable Steve Harshman, Speaker of the House, Wyoming House of Representatives
Matt Obrecht, Director, Legislative Service Office

<u>Date</u>	<u>Case Name</u>	<u>Sign-On Information</u>
3/5/2012	National Right-to-Carry Reciprocity Act	Wyoming joined 22 other state Attorneys General to urge Congress to enact the National Right-to-Carry Reciprocity Act of 2011 (H.R. 822). The bill would enable concealed carried license or permit holders to exercise their right to personal protection while traveling outside their home states with handguns.
11/14/2013	Abramski v. United States (S.Ct.)	The State of Wyoming joined 25 other states in an amicus brief on the merits in the United States Supreme Court. The brief argued that the federal criminal statute prohibiting false statements does not reach sales in which one person, who can lawfully purchase a firearm, does so on behalf of someone who can lawfully purchase a firearm.
2/4/2014	Drake v. Jerejian (Petition for certiorari)	Wyoming wrote an amicus brief, joined by 18 other states, urging the U.S. Supreme Court to review and reverse a decision by the 3rd Circuit that upheld New Jersey's limits on firearms.
4/30/2014	Nojay v. Cuomo Shew v. Malloy (2d Circuit)	Wyoming joined an amicus brief in the Second Circuit with 21 other states to support firearms owners challenging Connecticut and New York restrictions on firearms. The states' brief contended that New York's and Connecticut's firearms bans were unconstitutional under the Second Amendment and should be reviewed under strict scrutiny, which requires more careful review.
10/27/2014	Kolbe v. Hogan (4th Circuit)	Wyoming joined 19 other states in an amicus brief arguing that a Maryland law that bans a number of commonly possessed semiautomatic weapons is unconstitutional under the Second Amendment. The district court concluded that intermediate scrutiny applied to the ban and that the law could survive intermediate scrutiny.
12/30/2014	Jackson v. San Francisco (petition for certiorari)	Wyoming was part of the same coalition that filed another amicus defending the Second Amendment when Maryland sought en banc review.
3/16/2015	M855 Ammunition	Wyoming joined 25 other states on an amicus brief seeking Supreme Court review of a decision by the 9th Circuit that upheld an ordinance that requires all citizens who possess handguns in their homes to stow them in a lock box or disable them with a trigger lock whenever the guns are not physically carried on the person.
8/19/2015	Friedman v. Highland Park (petition for certiorari)	Wyoming joined 15 other state Attorneys General in signing a letter to the Bureau of Alcohol, Tobacco, and Firearms opposing restrictions on the importation of M855 ammunition.
8/11/2016	Grace v. DC (D.C. Circuit)	Wyoming joined 23 others states in urging the Supreme Court to grant review and reverse the decision of the Seventh Circuit, which upheld a municipal ban on certain semiautomatic rifles and magazines that can hold more than ten rounds.
2/14/2017	Peruta v. San Diego County (Petition for Certiorari)	Wyoming joined 15 other states in filing an amicus brief in the D.C. Circuit arguing that the District of Columbia may not condition firearms permits on other factors beyond an individual's generalized interest in self-defense under the Second Amendment. Wyoming joined 24 other states in filing an amicus brief asking the U.S. Supreme Court to review the en banc decision of the 9th Circuit, which held that citizens do not have the right to concealed carry for personal protection outside of the home.