

GOVERNOR'S VETO MESSAGE

April 22, 2021

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 238** in its entirety.

This bill requires the Governor to allocate \$308,519,800 of federal funds awarded to Wisconsin from the American Rescue Plan Act of 2021 (ARPA) to counties and municipalities for local road projects.

I object to this bill and am vetoing it because it limits the ability to use federal funds with the flexibility necessary to confront the variety of challenges posed by recovery from the COVID-19 global pandemic and respond to Wisconsin's changing needs over the course of the pandemic and our recovery. In Wisconsin, the role of the Governor to oversee use of federal funds under Section 16.54 of the Wisconsin Statutes is clearly established and has been in place for decades, a fact that was confirmed by legislative leadership in a letter they sent to me in April 2020.

Further, I am vetoing this bill because it is imprudent to restrict the use of funds to a purpose that may not comply with federal law. Specifically, the bill's use of ARPA funds is not expressly authorized under ARPA and may, at best, be only a partially authorized use. While final guidance by the federal government has not yet been issued on the use of these funds, the bill's allocation of more than \$300 million to uses that could be entirely or partially prohibited by the federal government means that the state may end up having to repay some portion of the bill's expenditures to the federal government. This is an unnecessary risk.

In lieu of this bill, I will continue to utilize the authority provided to the Governor under Section 16.54 of the Wisconsin Statutes to oversee use of federal funds and will allocate these funds in a manner that is transparent and consistent with both Wisconsin's needs and federal law.

Respectfully submitted,
TONY EVERS
Governor