

10/27/2021

Hello Sublette County, this is Albert Sommers reporting to you on Wednesday the 27th from Cheyenne and the Special Session of the Wyoming Legislature. This special session was called to address federal overreach surrounding federal COVID-19 vaccine mandates that have been proposed.

Today the House heard two bills in Committee of the Whole, and both passed. They were [HB1001](#), COVID-19 vaccine employer mandates and [HB1002](#), Federal COVID vaccine mandates-prohibition and remedies-2. These bills were heard in standing committees yesterday, where the public had ample opportunity to provide public comment.

[HB1001](#), COVID-19 vaccine employer mandates, was heavily debated in Committee of the Whole. If enacted, this bill would provide that no employer in the state of Wyoming shall require or mandate an employee to receive a COVID-19 vaccine as a condition of employment, unless the mandate is critical to ensuring the health, safety and welfare of the workplace or the lack of such a mandate would otherwise jeopardize the business. Further, the employer must allow employee exceptions to the mandate for religious or medical reasons.

[HB1002](#), Federal COVID vaccine mandates-prohibition and remedies-2, forbids any public entity from implementing a federal COVID-19 vaccination rule until the appeals process in federal court has been exhausted. Further, the bill authorizes the Wyoming Attorney General to fight federal vaccine mandates, and it appropriates money to the Governor's office to fight these mandates. The courts are the only way to truly fight these federal mandates, and I think Wyoming has a good case.

Both bills received substantial testimony in committee from businesses and public entities worried about the unintended consequences of being placed in the position of having to violate state law by implementing a federal vaccine mandate or violating federal law by not requiring a vaccine mandate. All hospitals and nursing homes would likely lose their Medicaid/Medicare dollars if they followed state law by defying a federal mandate. We also run the risk of losing control of federal OSHA authority if we conflict with federal rules, which would be critically detrimental to Wyoming businesses. In the end, both HB1001 and HB1002 were amended to

ensure that we don't damage businesses, health facilities, and state/local governments by conflicting directly with federal regulation.

Wyoming needs to push back on federal COVID-19 vaccine mandates in the court, show that the federal regulation is contrary to state law, but not damage Wyoming businesses and the State of Wyoming in the process. I believe we threaded that needle today, on both HB1001 and 1002, by protecting workers, businesses, and the state.

We will continue to refine the language to push back against the federal government as far as we possibly can. An old legislator once told me: "Be strong but do no harm."

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