

10/29/2021

Hello Sublette County, this is Albert Sommers reporting to you about work done Friday the 29th in Cheyenne and the Special Session of the Wyoming Legislature. As explained earlier, this special session was called to address federal overreach surrounding proposed federal COVID-19 vaccine mandates.

This day, the House heard in 3rd Reading the two bills it has been working on throughout this Special Session: [HB1001](#), COVID-19 vaccine employer mandates; and [HB1002](#), Federal COVID vaccine mandates-prohibition and remedies-2. Both bills passed the House with my support.

My previous updates provide details about the purposes and pitfalls of both bills. Those updates, like this one, are posted on my Facebook page Sommers for Sublette, and on my website, [www.AlbertSommers.com](http://www.AlbertSommers.com).

In 3rd Reading, we continued to debate HB1001 and the unintended consequences of businesses and public entities 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. Obeying a state law while disobeying a federal vaccine mandate could cause our hospitals and nursing homes to lose their Medicaid/Medicare dollars, and Wyoming businesses could be harmed if Wyoming loses its authority to enforce OSHA regulations.

We also continued to debate the precise language needed for Wyoming to comply with federal preemption laws, while retaining our state law if a court issues a stay on a federal COVID-19 vaccination mandate. The House passed an amendment to HB1001 that would change the definition of employer to exclude small business owners. I did not support this amendment, because I believe all businesses should be subject to the same laws as it relates to COVID-19 vaccine mandates.

HB1001 clearly allows employees to receive religious and medical exemptions from employer vaccination requirements. The bill provides that reasonable alternatives to COVID-19 vaccination must be provided to employees if an employer implements a vaccine mandate.

Reasonable alternatives include, but are not limited to, reassignment of work duties and testing.

I received a lot of local feedback on 3rd Reading amendment [HB1001H3011](#). This amendment would have added alternative COVID-19 “treatments” in lieu of a COVID-19 vaccination. The amendment failed strictly due to its wording. Because vaccination is a preventive measure and not a treatment, the amendment should have said “alternative COVID-19 preventive measures,” rather than “treatments.” As a 3rd Reading amendment, there was no time to provide alternative language. The Senate will have its chance to craft better language.

I believe it is our job as legislators to find a balance between Wyoming employer interests and employee’s rights. We must provide options for citizens to control their health care decisions, while allowing employers to protect their workplaces. I hope the House threaded that needle. Wyoming needs to push back on federal COVID-19 vaccine mandates in the court, show that the Feds’ regulation is contrary to state law, but not damage Wyoming businesses, citizens, and the state of Wyoming in the process.

I can be reached at [albert@albertsommers.com](mailto:albert@albertsommers.com) with questions or comments.