

HOUSE BILL NO. HB0051

Meat processing programs.

Sponsored by: Joint Agriculture, State and Public Lands &
Water Resources Interim Committee

A BILL

for

1 AN ACT relating to the emergency expenses of government;
2 providing legislative findings; authorizing emergency
3 governmental programs related to expanding and enhancing
4 meat processing capabilities; reappropriating funds as
5 specified; providing a sunset date for created emergency
6 program; providing rulemaking authority; and providing for
7 an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.**

12

13 (a) The legislature finds that:

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1 (i) In December 2019, a novel coronavirus known
2 as severe acute respiratory syndrome coronavirus 2 (SARS-
3 CoV-2) was first detected in China, leading to outbreaks of
4 novel coronavirus disease (COVID-19) that have now spread
5 globally;

6
7 (ii) The governor, the state health officer,
8 local health officers, local officials and tribal leaders
9 responded with swift measures to contain the spread of
10 COVID-19, minimize the public's exposure to COVID-19 and
11 protect the health, safety and well-being of Wyoming
12 residents;

13
14 (iii) Wyoming agriculture businesses that
15 provide critical food supply are significantly impacted by
16 the COVID-19 public health crisis especially due to the
17 effects of COVID-19 on the meat supply chain;

18
19 (iv) Working conditions in a meat processing
20 facility are ideal for virus transmission and many of the
21 major meatpacking companies have had outbreaks of COVID-19
22 and shut down for days, weeks or months at a time, which
23 has put a strain on meat supply chains, with intermittent

1 product limitations, skyrocketing prices and occasional
2 shortages at stores;

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4 (v) In Wyoming, farmers and ranchers are
5 economically negatively impacted by the COVID-19 public
6 health crisis. The majority of Wyoming livestock producers
7 must either sell their livestock at market prices that are
8 between twenty percent (20%) to forty percent (40%) below
9 normal, hold on to market-ready animals and continue to
10 feed, maintain and protect the animals despite labor
11 shortages or destroy the animals and lose all profit from
12 the year's work;

13

14 (vi) Absent the COVID-19 public health crisis,
15 the meat supply chain functioned effectively. With
16 continuing waves of cases and the risk that large packing
17 plants will continue to endure outbreaks, Wyoming livestock
18 producers face uncertain meatpacking market conditions that
19 put the producers' livelihood and business at risk;

20

21 (vii) Timely development of meat processing
22 facilities in Wyoming will ensure a stable, available
23 meatpacking market for livestock producers by ensuring that

1 local producers will have a place to sell their livestock.
2 Development of meat processing facilities in Wyoming is a
3 necessary cost incurred due to the public health crisis
4 with respect to COVID-19.

5

6 **Section 2.**

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8 (a) As used in this section:

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10 (i) "Department" means the Wyoming department of
11 agriculture;

12

13 (ii) "Eligible business" means a business that:

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15 (A) Was established on or before the date
16 of enactment of any order issued by the state or any local
17 government of Wyoming that required closures of businesses
18 in response to the COVID-19 pandemic;

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20 (B) Is independently owned and operated;

21

22 (C) Is headquartered in Wyoming or has its
23 principal operations located in Wyoming; and

1

2 (D) Has the means, knowledge and capability
3 to plan, construct and maintain a new meat processing
4 facility, upgrade equipment within an existing meat
5 processing facility or has the ability to gain the means,
6 knowledge and capability to plan, construct and maintain a
7 new meat processing facility.

8

9 (b) The Wyoming business relief through enhanced meat
10 processing program is hereby created. The Wyoming
11 department of agriculture shall establish and administer
12 this temporary program for eligible businesses experiencing
13 business interruptions due to the COVID-19 public health
14 crisis by providing stipends to eligible businesses to
15 address COVID-19 related problems by planning,
16 constructing, expanding and maintaining mobile and modular
17 meat processing units or facilities, upgrading technology
18 in meat processing units or facilities, providing workforce
19 training and converting state inspected facilities to
20 federally inspected facilities. Stipends under this section
21 shall:

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1 (i) Not be awarded until an eligible business
2 submits, and the department approves, an application. The
3 application shall be developed by the department and shall
4 require each applicant to certify that the business is an
5 eligible business as defined by this section and that
6 knowingly making a false statement to the department on the
7 application is prohibited and may result in the applicant
8 being required to repay all stipends under this section;

9

10 (ii) Require each eligible business to provide a
11 business plan and any other appropriate information as
12 requested by the Wyoming department of agriculture;

13

14 (iii) Not exceed one million dollars
15 (\$1,000,000.00) per eligible business;

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17 (iv) Be made only with funds provided to the
18 state government of Wyoming under the federal CARES Act or
19 subsequent federal act for a similar purpose. No other
20 funds of any kind and from any source shall be expended on
21 the payment of stipends awarded under this section;

22

23 (v) Be made on a first-come first-served basis.

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2 (c) The department shall promulgate any emergency and
3 regular rules necessary to administer the program
4 authorized by this section.

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6 (d) The attorney general shall review in writing the
7 legality of the program and any rules established for the
8 program authorized by this section.

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10 (e) No expenditure of funds shall be made under this
11 section except in accordance with state and federal laws,
12 regulations and orders.

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14 (f) The department may conduct and contract for
15 random audits of eligible businesses receiving stipends
16 under this section to ensure awarded funds are expended in
17 compliance with state and federal law.

18

19 (g) There is reappropriated to the Wyoming department
20 of agriculture twenty million dollars (\$20,000,000.00) from
21 any federal funds appropriated in 2020 Wyoming Special
22 Session Laws, Chapter 1, Section 2(b) and as authorized and
23 made available for expenditure in Section 2(c)(ii). If a

1 COVID-19 relief account or other similarly named account is
2 created for the deposit of COVID-19 related emergency
3 response funds, this appropriation shall be made from that
4 account. The funds reappropriated under this section shall
5 only be expended for making the stipends authorized by this
6 act and consistent with the terms of the federal gift,
7 stipend or appropriation from which the funds originate.
8 This reappropriation shall not be transferred or expended
9 for any other purpose except that on or before September
10 15, 2020, the Wyoming department of agriculture shall
11 estimate the total amount of funds expended, obligated and
12 necessary for the stipends authorized by this section. Any
13 funds reappropriated under this section in excess of the
14 total amount estimated by the Wyoming department of
15 agriculture are hereby reappropriated after December 1,
16 2020 to the office of the governor for the purposes
17 specified in 2020 Wyoming Special Session Laws, Chapter
18 1. Funds reappropriated to the office of the governor
19 shall be subject to any limitations imposed by 2020 Wyoming
20 Special Session Laws, Chapter 1. Any unexpended,
21 unobligated funds remaining from this reappropriation on
22 December 30, 2020 shall revert as provided by law.

23

1 (h) The program created by this section shall
2 terminate on December 30, 2020.

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4 **Section 3.** The department of agriculture is hereby
5 authorized to request and the Wyoming livestock board is
6 hereby authorized to provide the Wyoming livestock board's
7 mailing list of agriculture businesses, producers and
8 industry participants for use by the department of
9 agriculture to advertise the availability of funding
10 pursuant to the program created by Section 2 of this act.

11

12 **Section 4.** This act is effective immediately upon
13 completion of all acts necessary for a bill to become law
14 as provided by Article 4, Section 8 of the Wyoming
15 Constitution.

16

17

(END)