

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

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.**

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1 (a) The legislature finds that:

2

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

8

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

15

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

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21 (iv) Working conditions in a meat processing
22 facility are ideal for virus transmission and many of the
23 major meatpacking companies have had outbreaks of COVID-19

1 and shut down for days, weeks or months at a time, which
2 has put a strain on meat supply chains, with intermittent
3 product limitations, skyrocketing prices and occasional
4 shortages at stores;

5

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

15

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

22

1 (vii) Timely development of meat processing
2 facilities in Wyoming will ensure a stable, available
3 meatpacking market for livestock producers by ensuring that
4 local producers will have a place to sell their livestock.
5 Development of meat processing facilities in Wyoming is a
6 necessary cost incurred due to the public health crisis
7 with respect to COVID-19.

8

9 **Section 2.**

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11 (a) As used in this section:

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13 (i) "Council" means the Wyoming business
14 council;

15

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

17

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

22

23 (B) Is independently owned and operated;

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2

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

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5

(D) Has the means, knowledge and capability to plan, construct and maintain a new meat processing facility, upgrade equipment within an existing meat processing facility or has the ability to gain the means, knowledge and capability to plan, construct and maintain a new meat processing facility;

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STAFF COMMENT (1)

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The criteria for an eligible business in subparagraphs (A)-(C) above, are taken from the enrolled version of HB1004 and are subject to the Committee's determination of criteria. Subparagraphs (D) is new criteria. The draft does not include a limitation on the number of employees that may be employed at the business.

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STAFF COMMENT (2)

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The Committee may wish to consider whether the Business Council has sufficient capacity to handle this or other additional programs (subsection (b) below).

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(b) The Wyoming business relief through enhanced meat processing program is hereby created. The Wyoming business council shall establish and administer this temporary program for eligible businesses experiencing business interruptions due to the COVID-19 public health

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1 crisis by providing stipends to eligible businesses to
2 address COVID-19 related problems by planning,
3 constructing, expanding and maintaining mobile and modular
4 meat processing units or facilities, upgrading technology
5 in meat processing units or facilities, providing workforce
6 training and converting state inspected facilities to
7 federally inspected facilities. Stipends under this section
8 shall:

9

10 (i) Not be awarded until an eligible business
11 submits, and the council approves, an application. The
12 application shall be developed by the council and shall
13 require each applicant to certify that the business is an
14 eligible business as defined by this section and that
15 knowingly making a false statement to the council on the
16 application is prohibited and may result in the applicant
17 being required to repay all stipends under this section;

18

19 (ii) Require each eligible business to provide a
20 business plan and any other appropriate information as
21 requested by the Wyoming business council;

22

1 (iii) Not exceed one million dollars
2 (\$1,000,000.00) per eligible business;

3

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

9

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

11

12 (c) The council shall promulgate any emergency and
13 regular rules necessary to administer the program
14 authorized by this section.

15

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

19

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

23

1 (f) The council may conduct and contract for random
2 audits of eligible businesses receiving stipends under this
3 section to ensure awarded funds are expended in compliance
4 with state and federal law.

5

6 (g) There is reappropriated to the Wyoming business
7 council twenty million dollars (\$20,000,000.00) from any
8 federal funds appropriated in 2020 Wyoming Special Session
9 Laws, Chapter 1, Section 2(b) and as authorized and made
10 available for expenditure in Section 2(c)(ii). If a COVID-
11 19 relief account or other similarly named account is
12 created for the deposit of COVID-19 related emergency
13 response funds, this appropriation shall be made from that
14 account. The funds reappropriated under this section shall
15 only be expended for making the stipends authorized by this
16 act and consistent with the terms of the federal gift,
17 stipend or appropriation from which the funds originate.
18 This reappropriation shall not be transferred or expended
19 for any other purpose except that on or before September
20 15, 2020, the Wyoming business council shall estimate the
21 total amount of funds expended, obligated and necessary for
22 the stipends authorized by this section. Any funds
23 reappropriated under this section in excess of the total

1 amount estimated by the Wyoming business council are hereby
2 reappropriated after December 1, 2020 to the office of the
3 governor for the purposes specified in 2020 Wyoming Session
4 Laws, Chapter 1. Funds reappropriated to the office of the
5 governor shall be subject to any limitations imposed by
6 2020 Wyoming Session Laws, Chapter 1. Any unexpended,
7 unobligated funds remaining from this reappropriation on
8 December 30, 2020 shall revert as provided by law.

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

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13 **Section 3.** The business council is hereby authorized
14 to request and the Wyoming livestock board is hereby
15 authorized to provide the Wyoming livestock board's mailing
16 list of agriculture businesses, producers and industry
17 participants for use by the business council to advertise
18 the availability of funding pursuant to the program created
19 by Section 2 of this act.

20

21 **Section 4.** This act is effective immediately upon
22 completion of all acts necessary for a bill to become law

1 as provided by Article 4, Section 8 of the Wyoming
2 Constitution.

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(END)