

Agriculture, Dept. of

Wyoming Meat Processing Expansion Grant Program

Chapter 1: General Provisions

Effective Date: 09/15/2020

Rule Type: Emergency Rules & Regulations

Reference Number: 010.0015.1.09152020

Chapter 1

General Provisions

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules

Section 1. Authority. These emergency rules are adopted by the Wyoming Department of Agriculture (“WDA”) pursuant to the Governor’s authority to create new programs in 2020 Spec. Sess. SEA 001, Section 2(a).

Section 2. Purpose. These rules are promulgated for the purpose of providing a regulatory framework for the issuance of reimbursements to Wyoming Meat Processors to support Wyoming meat processing facilities and Wyoming citizens to address supply chain disruptions and regional shut-downs of processing facilities as a result of the COVID-19 public health emergency from April 1, 2020 through December 30, 2020.

Section 3. Definitions.

(a) “Applicant” means an eligible business who applies for funding under the Wyoming Meat Processing Expansion Grant program.

(b) “Awardee” means an eligible business who has been awarded funding under the Wyoming Meat processing Expansion Grant Program.

(i) Receipt of stipends under this chapter shall not disqualify a business from receiving other COVID-19 related state or federal grants or stipends, including those established in HB 1004 Section 2, HB1004 Section 3, or HB1004 Section 4.

(c) “CARES Act” means the federal Coronavirus Aid, Relief, and Economic Security Act. P.L. No. 116-136.

(d) “COVID-19” means Coronavirus Disease 2019.

(e) “Fund” means the Coronavirus Relief Fund monies paid to the state pursuant to section 5001 of the CARES Act.

(f) “Eligible business” means a business that: (1) is independently owned and operated; (2) is headquartered in Wyoming or has its principal operations located in Wyoming; (3) as of April 1, 2020, had employed two hundred (200) full-time employees or less; and (4) is registered with the Wyoming Secretary of State.

(g) “Full-time employee” means any employee who works thirty two (32) hours or more per week.

(h) “Headquartered in Wyoming” means a business’s principal place of business is located in Wyoming.

(i) “Independently Owned and Operated” means a business is privately owned. This excludes governmental entities and government-owned entities.

(j) “Operational/In Operation” means a facility inspected and certified by either WDA or USDA to slaughter and/or process meat under a State or Federal mark of inspection AND/OR a functional piece of equipment with intended use that is directly related to the processing of animal products.

(k) “Preference” means eligible businesses that have not received any funding from the paycheck protection program established by the Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. No. 116-136 or any other CARES funding from other sources will have primary consideration as determined by the WDA.

(l) “Principal Operations in Wyoming” means more than fifty percent (50%) of a company’s primary work is located in Wyoming and, (A) At least sixty percent (60%) of the organization’s employees are employed in Wyoming; or (B) At least sixty percent (60%) of the business payroll is paid to individuals living in Wyoming.

(m) “USDA” means United States Department of Agriculture

(n) “WBC” means the Wyoming Business Council.

(o) “WDA” means the Wyoming Department of Agriculture.

Section 4. Certification.

(a) Applicants shall certify that:

(i) Applicant complied with all applicable all COVID-19 related State and local health orders;

(ii) Applicant is authorized to apply for grant funds on behalf of the business identified;

(iii) The information provided in the application is true and correct to the best of Applicant’s knowledge;

(iv) Applicant will contact and cooperate with the WDA or the USDA for facility plan reviews for any improvements made to new or existing structures covered under this grant program;

(v) Applicant has obtained and provided a statement signed by either the WDA or USDA that Applicant’s facility is/will be operational by December 30, 2020;

- (vi) Applicant is only seeking amounts allowed by the Program;
- (vii) Applicant understands that all information submitted under the Wyoming Meat Processing Expansion Grant Program is subject to Wyoming Public Records Act and may be disclosed;
- (viii) Applicant will not discriminate against any person on the basis of age, color, disability, marital status, national origin, race religion, or sex in the program or services for which the grant dollars are awarded;
- (ix) Applicant is receiving CARES Act funds;
- (x) Applicant is not engaged in any activity that is illegal under federal, state, or local law;
- (xi) Applicant understands that they may be subject to additional federal requirements, including single audit requirements, other audits, or other federal requirements;
- (xii) Applicant agrees to comply and assist in providing any requested documentation for an audit;
- (xiii) Applicant is seeking this grant to reimburse only those expenses incurred as result of COVID-19;
- (xiv) All requested expenses were incurred after April 1, 2020;
- (xv) The funds will only be used for the allowed purposes under the grant;
- (xvi) This is a reimbursement program. Applicant is responsible for paying for any eligible expense and will then submit receipts for reimbursement of up to 50%;
- (xvii) Funds received under the grant program will be claimed on Applicant's next Federal Income Tax filing;
- (xviii) Applicant understands that knowingly making a false statement may result in the State of Wyoming requiring total or partial repayment of the grant funds, and may result in other penalties and fines; and
- (xix) Applicant understands that knowingly making a false statement to obtain a grant is punishable under the law, including under 18 U.S.C. 1343 by imprisonment of not more than thirty years and/or a fine of up to \$1,000,000 and Wyoming Statute 6-3-402 by imprisonment for not more than ten years and/or a fine up to \$10,000.