



# Governor Bullock Coronavirus Relief Fund Advisory Council Recommendation Report

May 2020



Dear Governor Bullock,

Congress recently passed the Coronavirus Aid, Relief and Economic Security Act (CARES Act). The CARES Act established a Coronavirus Relief Fund of \$150 billion for states, tribes and in certain circumstances, local governments dealing with the impacts of COVID-19. Montana has received \$1.25 billion of this federal allocation from the U.S. Treasury Department.

On April 15<sup>th</sup>, you announced the Coronavirus Relief Advisory Council comprised of a diverse, geographically dispersed group of unselfish Montanans who committed to work together to provide guidance and process for the \$1.25 billion. On the afternoon of the announcement, every person on the Advisory Council attended a virtual meeting to begin a process that gathered ideas while awaiting further guidance from the federal government. You would be proud of the effort, commitment, and robust dialogue that started across Montana shortly after that call. Despite the communication challenges presented by COVID-19, virtual meetings and individual efforts began in earnest to compile ideas.

In a little over two weeks from start to finish, we present to you this report of our recommendations attempting to reach our goal to provide advice and guidance as to how best to deploy Montana's CARES Act funds to reinvigorate Montana's path toward economic recovery and revive our communities. While not every comment is reflected in this report, we can assure you everyone was heard in a collaborative process supported by detailed proposals submitted by committee members.

We are all honored that you trusted us to work hard, despite unique business and personal challenges with COVID-19. The unwavering support and effort from your staff (particularly Tom Livers, Amy Sassano, Ryan Evans, Adam Schafer, and Ken Fichtler) was critical. Our collective urgency was not defined by the CARES Act, but by a genuine desire from everyone on the committee to return to the strong, robust economy that Montana experienced prior to this unprecedented pandemic. We feel it is essential to deploy funds quickly and effectively to citizens of Montana.

Thank you for the opportunity. We stand ready to be steady, conscientious, and representative advisors on how best to assist Montanans now, as well as throughout the next phases of Montana's response to the COVID-19 pandemic.

Sincerely

Larry Simkins, Chair  
Governor's Coronavirus Relief Fund Advisory Council



**Coronavirus Relief Fund Advisory Council**  
**Advisory Members and Business/Organization**

|                 |  |
|-----------------|--|
| Larry Simkins   | The Washington Companies                   |
| Charlie Beaton  | The Big Dipper Ice Cream                   |
| Scott Brown     | The Base Camp                              |
| Eric Bryson     | MT Association of Counties                 |
| Tim Burton      | MT League of Cities and Towns              |
| Nick Checota    | Logjam Presents                            |
| Randy Chesler   | Glacier Bancorp                            |
| Bill Coffee     | Stockman Bank                              |
| Colin Davis     | Chico Hot Springs                          |
| Shalon Hastings | Fly FisHer Adventures, Small Business      |
| Jacquie Helt    | Service Employees Int'l Union (SEIU)       |
| Mike Hope       | Bar and Restaurant Owner (Rockin R)        |
| Llew Jones      | State Representative, Small Business Owner |
| Casey Lozar     | Federal Reserve Bank                       |
| Jim Markel      | Red Oxx Manufacturing                      |
| Janice Mattson  | Mattson Farms                              |
| Liz Moore       | MT Nonprofit Association                   |
| Jim Peterson    | Rancher, former Senate President           |
| Kevin Riley     | 1st Interstate Bank                        |
| Mark Semmens    | D.A. Davidson (Retired)                    |
| Jon Sesso       | State Senator, Small Business Owner        |
| Jason Smith     | Montana Indian Affairs Office              |
| Sarah Walsh     | PayneWest Insurance                        |
| Joe Willauer    | Butte Local Development Corporation        |

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## **SECTION I – COMMITTEE PROCESS**

On April 15<sup>th</sup>, Governor Steve Bullock appointed the Coronavirus Relief Advisory Council. The Council is comprised of a diverse and geographically dispersed group of Montanans committed to work together to provide guidance for the \$1.25 billion allocated to the State of Montana through the CARES Act. A collective process has been at the forefront to ensure the best recommendations and guidance to help Montana families and businesses. Since inception of the Council, virtual meetings were held twice a week with each meeting including an update from Governor's staff on issues pertinent to the Council, followed by discussion and idea-sharing among the Council members. Despite the communication challenges presented by COVID-19, the virtual meetings were a success and individual and coordinated group efforts began to compile ideas. A Council email box and a Microsoft Teams site were established for Council members to ask questions and share ideas, and to allow for transparency and integrity in the overall process. Over the last two weeks, ideas have been submitted around the clock, which speaks volumes to the dedication of the Council, and their overall attentiveness to the urgent situation at hand brought on by the COVID-19 pandemic.

## **SECTION II – CORONAVIRUS RELIEF FUND GUIDANCE FROM U.S. TREASURY**

During the first half of the Advisory Council's process, we eagerly awaited guidance from the U.S. Department of Treasury as a basis to help inform our decision making, and ultimately our recommendations. On April 23, the U.S. Treasury supplied supplemental guidance on use of the Coronavirus Relief Fund. Although the guidance still leaves many important questions yet to be answered, the supplemental guidance did provide enough information for the Council to continue its work and to formulate formal recommendations. Below is a selection of the guidance that is most applicable to our recommendations, grouped by topics of guidance that is now known, and the guidance that remains unclear or not included in the recent supplemental:

### **Known Guidance**

- If a government has not used funds it has received to cover costs incurred by December 30, 2020, as required by statute, those funds must be returned to the Department of the Treasury.
- Expenditures must be used for actions taken to respond to the COVID-19 public health emergency. These may include expenditures incurred to allow state, territorial, local, or tribal governments to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures. Further, the CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020.



- Eligible expenses include COVID-19 related expenditures for specific items including, but not limited to: medical expenses; public health expenses; payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency; expenses to facilitate compliance with COVID-19 related public health measures; and expenses associated with the provision of economic support such as grants to businesses experiencing impacts from business interruption or closure.
- Coronavirus Relief Funds may not be used to fill shortfalls in government revenue or be used to replace lost revenue, to duplicate reimbursement of expenses already reimbursed by the federal government, or workforce bonuses other than hazard pay or overtime.

#### **Guidance Not Available or Known**

- Guidance on financial reporting, specifically sub-recipient grant reporting, is currently unknown, though various channels of professional organizations anticipate guidance on recipient and sub-recipient reporting is forthcoming.
- Guidance on using Coronavirus Relief Funds to match other federal funds such as FEMA is unknown.
- Guidance on the terms by which the State has the ability to loan funds directly to entities, or guidance on the State's ability to pass through funds to other entities for them to loan funds, is unknown.

### **SECTION III – GUIDING PRINCIPLES**

Although important and necessary for strategic and practical purposes, there is great humility in attempting to define a single set of overarching guiding principles in a time of such intense need caused by a worldwide pandemic. No set of principles can encompass all situations or circumstances for each individual, business, or organization, particularly with limited resources that must be spent in accordance with the limited guidance contained within the CARES Act. Even so, guiding principles were developed to help frame the discussion and facilitate the work of the Council in an attempt to efficiently and effectively identify the best ways to address the needs of those most directly and severely impacted by the effects of COVID-19. The Council's Guiding Principles follow:

#### **Guiding Principles**

- Focus on those impacted most.
- Stay focused on strategies and funding not already allocated elsewhere, ensuring there is no duplication of efforts or funds.



- Deploy funds quickly, while preparing for the long-term challenges and acknowledge all needs might not be apparent now or readily known, particularly for businesses that may need to remain closed for longer periods into the future.
- Prioritize leveraging of funds when possible, encourage utilizing and leveraging existing programmatic infrastructure that is underutilized, consider existing distribution channels for allocation of funds, and consider public/private partnerships when appropriate. In other words, do not recreate the wheel.
- Focus on assistance that can be used now and that is not built into any future base allocation for state or local budgeting purposes.
- Consider how targeted investments now in COVID-19 impacted areas may impact the overall health and well-being of Montanans moving forward, and how investments now may impact the future economic strength and diversity of the State of Montana and its residents.
- Keep it simple, as the complexity of the initial federal relief injection into Montana left many worthy recipients without assistance for a variety of reasons.

#### **SECTION IV – METHODS OF FUND DISTRIBUTION**

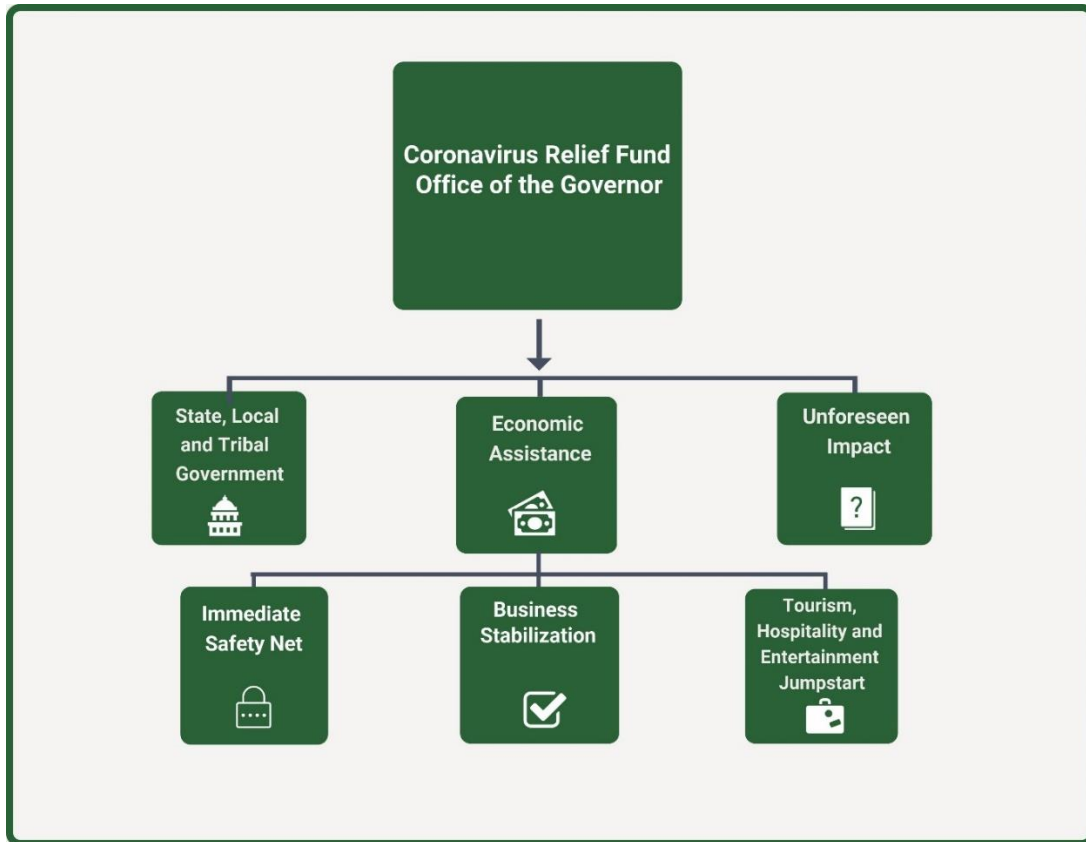
As was stated in the Guiding Principles above, the Council recommends the Governor prioritize leveraging of funds, encourage utilizing existing programmatic infrastructure that is underutilized, consider existing distribution channels for allocation of funds, and consider employing public/private partnerships for the distribution of funds. The Council views this guiding principle as the means to most efficiently deploy funds to those most impacted by COVID-19 and recommends the Governor consider not only existing state programs as conduits for funding allocation, but also partners beyond state government. In this, the following entities should be considered as channels for delivering funding to COVID-19 impacted individuals and entities:

- Regional or Local Economic Development Organizations
- Regional or Local Banking, Financial, and Lending Institutions
- The Montana Board of Investments (BOI); and/or the Montana BOI in partnership with Regional or Local Banking, Financial, and Lending Institutions
- Existing and/or Refocused State of Montana Programs



## SECTION V – PROPOSED FLOW AND ALLOCATION OF FUNDING

The Council established three primary silos of funding: State, Local and Tribal Government; Economic Assistance; and Unforeseen Impacts.



In an effort to align with the expertise on the Council, and to effectively identify the best way to establish an immediate safety net for individuals, businesses and nonprofits, the Council focused our time and efforts on Economic Assistance.

The Council has compiled recommendations particular to Economic Assistance for the Governor in the following sections of this report, with specific emphasis on sub-areas focusing on:

- Immediate Safety Net
- Business Stabilization
- Tourism, Hospitality and Entertainment Jumpstart

Perhaps noticeably and notably absent from our specific sub-area recommendations are concepts pertaining explicitly to the State, Local, and Tribal Government silo shown in the flow chart above. This in no way should be construed as the Advisory Council not recognizing a pressing and apparent need for assistance for entities, individuals, and services largely or wholly dependent on funds from





state, local or tribal government, such as K-12, the Montana University System (MUS), Corrections and Law Enforcement, and the Courts. Rather the Council chose to dedicate our collective time to fleshing out ideas and recommendations most apparent in the Economic Assistance silo. And while in no way would we recommend that any single eligible individual or entity under the over-arching umbrella of government, K-12, MUS, and others be specifically precluded from obtaining assistance under the Economic Assistance silo, if appropriate, we do contend that the Governor, in consultation with local and tribal governments, is better positioned to address funding and reimbursement needs of the almost 200 city/town, county, and tribal governments across Montana throughout the duration of the emergency.

With these caveats in mind, the following sections include the distillation of our comments, ideas and considerations into formal recommendations pertinent to each sub area for your consideration.

## SECTION VI – ECONOMIC ASSISTANCE

In the following sections, we outline the recommendations pertinent to each Economic Assistance sub area.

### IMMEDIATE SAFETY NET

The Council’s Immediate Safety Net Recommendations are intended to deploy funds immediately (i.e. over the coming days and weeks) to those that are negatively impacted as a result of COVID-19, with particular attention to people, businesses, nonprofits and other entities that have fallen through the cracks with limited or no access to existing programs or to funding contained in the CARES Act.

### IMMEDIATE SAFETY NET FUNDING RECOMMENDATIONS:

#### 1. Food Security

- **Provide Enhanced Support for Individual Food Security through Food Banks and Food Pantries**
  - The 167 food banks and pantries across the state report since the beginning of the COVID-19 pandemic impacts in Montana, demand for food is up 10 - 20% in rural Montana, and up 100 – 200% in some larger Montana communities. Considering food is a basic and immediate need, the Council recommends **direct grant assistance** to food banks and food pantries serving Montana communities. Further, the Council recommends the Governor consider ways to





facilitate the provision of food from local producers to food banks, particularly if there is risk of food being left to waste.

## 2. Providers of Social Safety Net Services

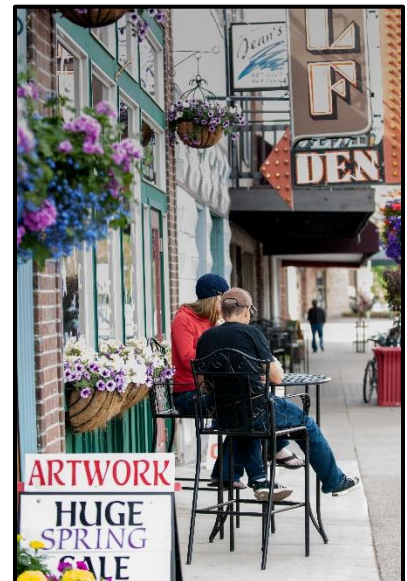
- **Provide Enhanced Support for Providers of Immediate Social Safety Net Services** – Acknowledging the term “social safety net service” is expansive, the Council recommends prioritized **direct grant assistance** to entities directly impacted by COVID-19, or directly assisting or caring for those impacted by COVID-19. Such entities include but are not limited to: emergency shelters; behavioral health and substance abuse providers; homeless shelters; direct care workers; child care providers; disability services; emergency services; urban Indian health centers; child protection; domestic violence; first responders; senior services; and economic and workforce development.

## 3. Individuals, Business, and Nonprofits

- **Provide Rental and Mortgage Assistance to Individuals, Businesses, and Nonprofits** – Assisting Montanans and their businesses to remain economically viable and afford to remain in their current home or business location is a priority identified by the Council as an immediate need. Therefore, the Council recommends **direct grant assistance** be deployed to individuals, businesses and nonprofits for assistance to pay monthly rent or mortgage payments, or to assist an individual with paying the costs of their property taxes if a recipient is an owner of property.

## BUSINESS STABILIZATION

The Council’s Business Stabilization Recommendations are intended to deploy funds over an immediate to mid-term (i.e. the coming weeks and months) time frame, with particular attention to businesses and nonprofits (ranging from sole-proprietors and independent contractors to larger Montana businesses) that are negatively impacted as a result of COVID-19, have been or currently are subject to closure, and may have fallen through the cracks with limited or no access to existing programs or to funding contained in the CARES Act.



## BUSINESS STABILIZATION FUNDING RECOMMENDATIONS:

### 1. Direct Support

- **Support for Montana Businesses** – The Council anticipates current and lingering financial difficulties for many, varied-sized Montana businesses. The Council recommends **direct grant assistance** be provided to Montana businesses, with priority given to businesses that are or have been subject to statewide closure, and/or have been directly impacted by the COVID-19 pandemic. Eligible uses of assistance could include general inventory, personnel costs, and operating



costs associated with utilities, supplies, property and other taxes, and fees. When applicable, in addition to traditional and/or refocused State of Montana programmatic funding channels, the Council recommends the Governor consider additional funding channels and fund delivery methods through local and regional economic development organizations, banks, and the Montana Board of Investments. Further, the Council recommends funding be allocated in an amount that provides the greatest benefit for the most in need.

- **Support for Montana Nonprofits** – Likewise, the Council anticipates current and lingering financial difficulties for many, varied-sized Montana nonprofits. The Council recommends **direct grant assistance** be provided to Montana nonprofits, with priority given to nonprofits that are or have been subject to statewide closure, have been negatively impacted by the COVID-19 pandemic, and whose mission is to serve a population impacted directly or indirectly by COVID-19. Eligible uses of assistance could include general administrative costs, personnel costs, operating costs associated with utilities, supplies, property and other taxes, and fees. When applicable, in addition to traditional and/or refocused State of Montana programmatic funding channels, the Council recommends the Governor consider additional funding channels and fund delivery methods through local and regional economic development organizations, banks, and the Montana Board of Investments. Further, the Council recommends funding be allocated in an amount that provides the greatest benefit for the most in need.

## 2. Sustainability

- **Assistance to Businesses and Nonprofits through Forgivable Loans, Low/Zero Interest Loans, or State of Montana backed Lines of Credit Guaranty** – Acknowledging that the sizable allocation to Montana under the CARES act is finite with substantial demands on it, that some businesses and nonprofits may need more than a one-time infusion of immediate assistance, and that some entities may require larger sums of assistance over a longer period of time that could willingly be paid back, the Council recommends funding be allocated to assist businesses that may have mid-to-long-term (e.g. in the coming months and years) sustainability needs based on the likelihood that they may be closed for the foreseeable future, or are linked to an industry that may be not as quick to recover. When applicable, in addition to traditional and/or refocused State of Montana programmatic funding channels, the Council recommends the Governor consider additional funding channels and fund delivery methods through the Montana Board of Investments and/or local and regional banks and lending institutions to administer lending programs to assist those Montana businesses with unique situations. This recommendation anticipates that





funding will be necessary to address particularly unique situations that some businesses and nonprofits may endure that are not explicitly addressed in any previous or forthcoming recommendation. The Council acknowledges that further federal guidance pertaining to this recommendation is pending and will be necessary to help guide how this recommendation is ultimately implemented.

## **TOURISM, HOSPITALITY AND ENTERTAINMENT JUMPSTART**

The Council's Tourism, Hospitality, and Entertainment Jumpstart recommendations are intended to deploy funds over an immediate to mid-term (i.e. coming weeks and months) time frame, acknowledging that funds should be deployed to best align with the time when the business types contained in the tourism, hospitality, and entertainment industry can safely reopen to Montana consumers and in-state/out-of-state tourists. Particular attention is given to businesses and nonprofits (ranging from sole-proprietors to larger Montana businesses and nonprofits) that are most impacted as a result of COVID-19, have been or currently are subject to closure, and may have fallen through the cracks with limited or no access to existing programs or to funding contained in the CARES Act.

## **TOURISM, HOSPITALITY AND ENTERTAINMENT JUMPSTART FUNDING RECOMMENDATIONS:**



### **1. Direct Immediate-to-Mid Term Assistance**

○ **Support for Montana Businesses and Nonprofits** – As stated before, the Council anticipates current and lingering financial difficulties for many, varied-sized Montana businesses and nonprofits, particularly those in the tourism, hospitality, and entertainment industry who face an uncertain time of when they can safely reopen. The Council recommends **direct assistance** be provided to Montana tourism, hospitality, and entertainment businesses and nonprofits through grants and loans, with priority

given to businesses that are subject to continued closure, have businesses focused on accommodating in-state and out-of-state tourists, and have been (and will continue to be) most negatively impacted by the COVID-19 pandemic. Revenue tests from 2019 to 2020 and possibly utilizing North American Industry Classification System (NAICS) codes as a starting point for identifying industries may help quantify targeted assistance. For instance, providing grants for lodging tax or live entertainment gate and concession shortfalls would provide a measurable mechanism for support. Specific uses of funds could include sustaining reduced payrolls, distressed inventory from refunded ticket or event sales, costs associated with evolving health guideline compliance, or other costs associated with sustaining operations through mandatory closures, up to and through the reopening phase. Further, the Council recommends funding be allocated in an amount



that provides the greatest benefit, for the most in need, over the longest period of time, in an effort to sustain those businesses with opening dates not yet known.



## 2. Longer Term Sustainability

○ **Assistance to Businesses and Nonprofits through Forgivable Loans, Low/Zero Interest Loans, or State of Montana backed Lines of Credit Guaranty** – Acknowledging that the sizable allocation to Montana under the CARES act is finite with substantial demands on it, that some businesses and nonprofits - particularly in the performing arts, live entertainment, and other business/nonprofits dependent on large crowds and tourists - may need more than a one-time infusion of immediate assistance, and that some entities may require larger sums of assistance over a longer period of time that could willingly be paid back, the Council recommends funding be allocated to assist businesses that may have mid-to-long term

(e.g. in the coming months and years) sustainability needs based on the likelihood that they may be closed for the foreseeable future, or are linked to an industry that may be less quick to recover. Assistance could take the form of restructuring assistance, term extensions and interest rate buydowns. When applicable, in addition to traditional and/or refocused State of Montana programmatic funding channels, the Council recommends the Governor consider additional funding channels and fund delivery methods through the Montana Board of Investments and/or local and regional banks and lending institutions to administer lending programs to assist those Montana businesses with unique situations. This recommendation anticipates that funding will be necessary to address atypical situations that some businesses and nonprofits may endure that are not explicitly addressed in any previous or forthcoming recommendation. The Council acknowledges that further federal guidance pertaining to this recommendation is pending and will be necessary to help guide how this recommendation is ultimately implemented.

## SECTION VII – OVERARCHING THEMES AND OTHER RECOMMENDATIONS

During the Council’s work, there were several themes that transcended any particular sub-area of need for assistance. That is to say that some assistance is and will be applicable to any individual, business, nonprofit, or other entity that has been negatively impacted as a result of COVID-19, whether that be through immediate safety net efforts, business stabilization efforts, or the jumpstart phase of Montana’s COVID-19 response. Specific themes and recommendations that are overarching in nature include:

1. **Facilitate Coordinated Testing, Tracing, Distribution of Personal Protective Equipment (PPE) and Strike Team Efforts** – This would allow coordinated, statewide processes and information pertaining to testing and tracing efforts as we all learn more about the prevalence, occurrence and incidence of COVID-19 across Montana and our nation as a whole. Moreover, this would



allow funding to help support the provision of protective supplies to entities that can then furnish services in ways that will keep Montana among the safest states in the nation. This would also provide for State coordinated strike team efforts and funds to address local or regional flare-ups of COVID-19.

- 2. Facilitate Statewide Guidance and Coordination with Local Public Health Departments** – This will allow businesses and nonprofits to safely open and operate under a single-set of guidance that is easily understandable and practical to implement. This will also help make consumers feel that it is safe to return to a particular business. Further, coordinated efforts on statewide guidance could, in part, be disseminated via Montana print and online newspapers. This would provide assistance to an industry whose sales and advertising budgets have been impacted by a decline in overall business activity attributable to COVID-19.
- 3. Provide for Ease of Access to Funding and Simple, Straight-Forward Reporting Requirements** – This would allow impacted individuals and entities with little experience seeking government funding to access funds quickly and efficiently, and to have straight-forward, predictable and pre-prescribed expectations for if/how they will be expected to report on how they used particular assistance granted or loaned to them or their business.
- 4. Facilitate State of Montana Guidance and Resources that are Clear and Concise for Coronavirus Outreach to Individuals, Businesses, and Potential Financial Partners** – This would allow for individuals and entities to reach out to one, single, coordinated source of information and guidance on topics varying from sanitation guidance to financial assistance available from state and federal government. Further, this would provide potential financial partners charged with distributing funds through grants or loans, when applicable, with greater clarity and guidance on who should qualify to receive economic relief in an effort to ensure that funds are not deployed to many with little or no meaningful impact from COVID-19.
- 5. Provide for Equity, Prioritization, and Accountability of Funds** – This allows for distribution of funds in transparent ways to entities that need it most, regardless of their administrative resources to apply for funds, geographical location, size of business, economic stature, or other standing or influence.
- 6. Provide for a Dedicated Holdback of Coronavirus Relief Funds for Unforeseen/Unknown Impacts and Provide a Backstop of Coronavirus Relief Funds as Supplemental Funds to Augment Recommended Funding that May End Up Being Insufficient** – This would allow the Governor to respond to issues as they arise that might currently be unforeseen or unknown, and to potentially augment funding for any of the Council’s recommendations that are of particular benefit. Further, this would provide a backstop for the provision of existing



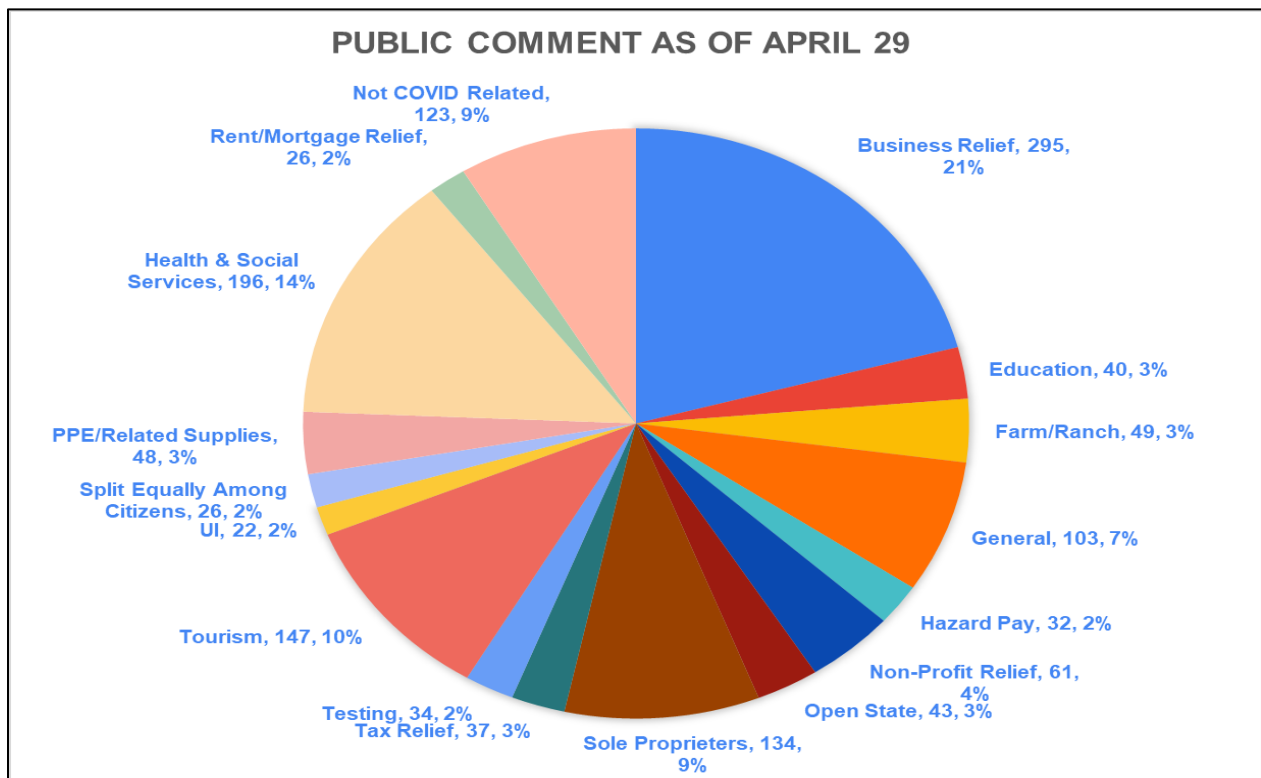
government services in future years under the new economic uncertainty brought on by COVID-19.

- 7. **Consider Continued State and Local Flexibility, When Possible, Towards State and Local Levied Taxes, Fees and Assessments** – This allows state and local governments the ability to gauge in real-time the relationship between their residents’ immediate needs versus their immediate ability to pay.

### SECTION VIII – OTHER FEEDBACK

Over the past two weeks, the Council has received significant feedback from professional organizations and coalitions, businesses, nonprofits and individuals. The formal written feedback received by these groups is included in Section X as an appendix of your hardcopy report for your reference as you begin the task of operationalizing the Council’s recommendations.

Additionally, parallel to our Council process, your staff set up a public comment portal where individuals could submit ideas for use of the Coronavirus Relief Fund. As of this report, more than 1,400 public comments have been received. At each Council meeting, we were given an update on the status and content of public responses through the public portal. Based on the public feedback received, it is heartening to see that the public ideas most frequently submitted are very much in alignment with our recommendations contained in this report. For your reference, the following graph illustrates the types of ideas submitted through the public portal comment process.





## SECTION IX – CLOSING THOUGHTS AND REMARKS

In no way could one report of recommendations comprehensively and satisfactorily address the many, varied needs created by COVID-19 across our great state. That said, we hope the recommendations provided in this report give you guidance on how best to deploy Coronavirus Relief Funds to those who need it most, when they need it most. Further, we appreciate the opportunity to provide recommendations on behalf of the Montana business and nonprofit community – large to small, east to west, urban to rural, and everywhere and everyone in between. We stand ready to be steady, conscientious, and representative advisors on how best to assist Montanans now, as well as throughout the next phases of Montana’s response to the COVID-19 pandemic.





## SECTION X - APPENDIX