

## Chris Taggart

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**From:** Shantil Siaperas <shantil@mtcounties.org>  
**Sent:** Tuesday, March 31, 2020 2:18 PM  
**To:** Shantil Siaperas  
**Subject:** Legislative Update: Leadership Meets via Conference Call

MACo Members,

Legislative Leadership met via conference call this morning to begin discussing various aspects of the Coronavirus (COVID-10) pandemic, mainly the \$1.45 billion coming to Montana from the CARES Act/Stimulus Package that was signed by President Trump late last week. [Click here to listen to the meeting \(1 hour 26 minutes\)](#).

Materials from the call are posted on the [Legislative COVID-19 Webpage](#). Some specific items we'd like to point out for this meeting include the following:

- [Legal Analysis from Legislative Staff to Legislative Leadership](#) – Letter determining whether legislative action is required to for the State of Montana to make emergency expenditures in accordance with the Act: Because section [10-3-203, MCA](#) authorizes that funds received under the CARES Act are statutorily appropriated, no legislative action is required to appropriate those funds for emergency expenditures due to the public health emergency in accordance with the CARES Act.
  - Notes from the call about getting money to local governments: Governor can accept the funding from the federal government, and the Governor can authorize any officer to receive those funds on behalf of the state. Legislative Staff is looking into more specifics outside of 10-3-203, MCA (below) for further direction, but that section contains fairly broad authority for the Governor.

***10-3-203. Acceptance of services, gifts, grants, and loans.** (1) Whenever the federal government or any agency or officer of the federal government offers to the state, or through the state to any political subdivision of the state, services, equipment, supplies, materials, or funds by way of gift, grant, reimbursement of mutual aid, or loan for purposes of emergency or disaster services, the state, acting through the governor, or the political subdivision, acting through its executive officer or governing body, may accept the offer. Upon the acceptance, the governor of the state or the executive officer or governing body of the political subdivision may authorize any officer of the state or of the political subdivision to receive the services, equipment, supplies, materials, or funds on behalf of the state or political subdivision and subject to the terms of the offer and the rules, if any, of the agency making the offer.*

*(2) The funds, items, and services set forth in subsection (1) are statutorily appropriated, as provided in 17-7-502, to the governor for the purposes set forth in subsection (1) or to the department of natural resources and conservation for fire suppression purposes or costs.*
  - Funds can only be spent as laid out in the CARES Act: to cover only those costs only those costs of the State, Tribal government, or unit of local government that (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (2) were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and (3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 3 2020.

- [Letter to Leadership from the Legislative Fiscal Analyst](#) – COVID-19 Fiscal Updates/Report, which will be published between the 10th and the 15th of each month—see memo for a complete list of items to be included in the reports.
  - [A Summary of Coronavirus Funding to Date \(March 31, 2020\) - with Montana Specific Details](#)
    - [CARES Act Bill Text](#)
    - **CARES Act Bill Summaries:**
      - [Stimulus Bill: What It Means for States](#) (This is another great summary of the bill.)
      - [NACo also released an analysis](#) that we sent out last week; and
      - The [National League of Cities & Towns has a good one as well](#).

The conversation between Leadership and members of Legislative Staff **was very preliminary and primarily informational** (no decisions made); the aim was to get everyone on the same page. They briefly discussed the potential for a Special Session; all agreed that at this time, it is premature to determine if it is necessary.

We are expecting similar virtual meetings such as this in the future, as Montana continues to adapt to working within the social distancing world in which we currently live. Legislative Staff is trying to arrange for the May Interim Committee meetings to be held virtually (likely using the same technology that was used for the Leadership call this morning). If this ends up happening, you can stream the meetings online from Montana’s Legislative Website here: <http://sg001-harmony.sliq.net/00309/Harmony/en>. MACo will of course be monitoring everything closely and participating as we usually do.

As always, if you have any questions, please don’t hesitate to ask.

Sincerely,

**SHANTIL SIAPERAS**

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