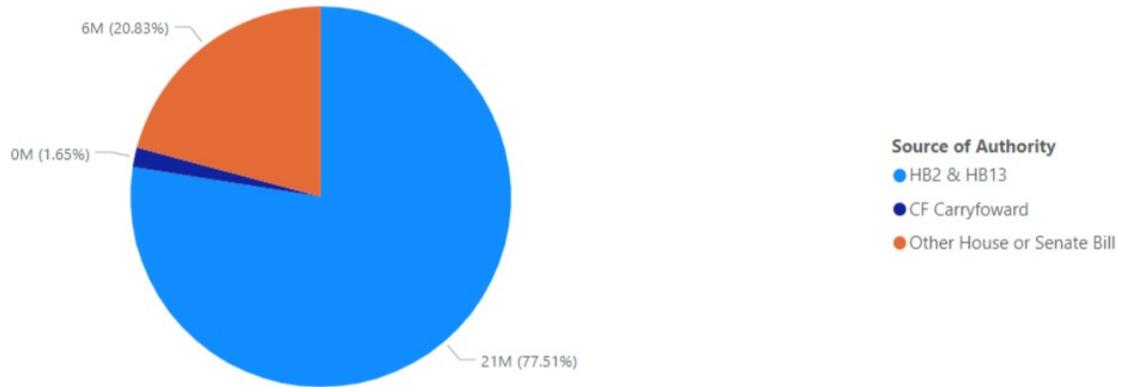


# LEGISLATIVE BRANCH

## TOTAL APPROPRIATION AUTHORITY

The total appropriation authority for the agency is shown in the pie chart below. HB 2 and HB 13 provide 77.5% of the total authority for this agency. All types of appropriation authority for this agency are described below, including total budget and the percent expended by source of authority.

Total Modified Budget by Source of Authority



Source of Authority	Modified Budget	Expended Budget	Percent Expended
HB2 & HB13	21,307,495	7,341,376	34.5%
CF Carryforward	454,749		
Other House or Senate Bill	5,726,173	906,446	15.8%
<b>Total</b>	<b>27,488,417</b>	<b>8,247,823</b>	<b>30.0%</b>

**FiscalMonth**

Select all

Jul

Aug

Sep

Oct

Nov

## Carryforward

Appropriation authority carried forward from FY 2021 was allocated as follows:

- \$24,480 to personal services supported by general fund in the Legislative Services Division
- \$149,779 to operating expenses supported by general fund in the Legislative Committees and Activities Division
- \$62,685 to operating expenses supported by general fund in the Legislative Fiscal Division
- \$217,805 to operating expenses supported by general fund in the Legislative Audit Division

As of November 30, 2021, none of the funds had been expended.

## Other Bills

### ***HB 1 – Legislative Feed Bill***

At \$5.3 million, HB 1 makes up 93.3% of the appropriation authority included in Other House or Senate Bills in FY 2022. The biennial appropriations provide for expenditures for legislative interim committees, and initial startup costs for the 2023 Session with \$4.3 million budgeted for personal services, \$1.0 million for operating

expenses, and \$70,000 for transfers out. Through November 30, 2021, 15.6% of the appropriations have been expended which is in line with historic expenditures of the feed bill at this point in the biennium.

### ***SB 191 – Revising State Finance Laws***

SB 191 included language allowing unencumbered and unexpended funding from HB 1, enacted by the 2019 Legislature, to be used for expenditures associated with HB 483. HB 483 revised laws related to exempt personal staff for the legislature including:

- A provision providing for a special counsel that serves at the pleasure of the Speaker of the House of Representatives and the President of the Senate
- Authorizing exempt staff for the Speaker and the Minority Leader of the House of Representatives
- Providing for exempt staff for the President and the Minority Leader of the Senate

Personal services of \$293,493 are budgeted in FY 2022 with expenditures of \$72,900 through November 30, 2021.

### ***HB 330 – Providing for a Financial Modernization and Risk Analysis Study***

HB 330 provided a biennial appropriation of \$50,000 for additional Legislative Finance Committee members and to support interim activities. The bill also extended appropriation authority provided in the 2021 biennium for the financial modernization and risk analysis study. Between the two appropriations, personal services are budgeted at \$33,509 in FY 2022 and operating expenses at \$47,109.

### ***Other bills***

Small amounts of funding were also provided in FY 2022 for:

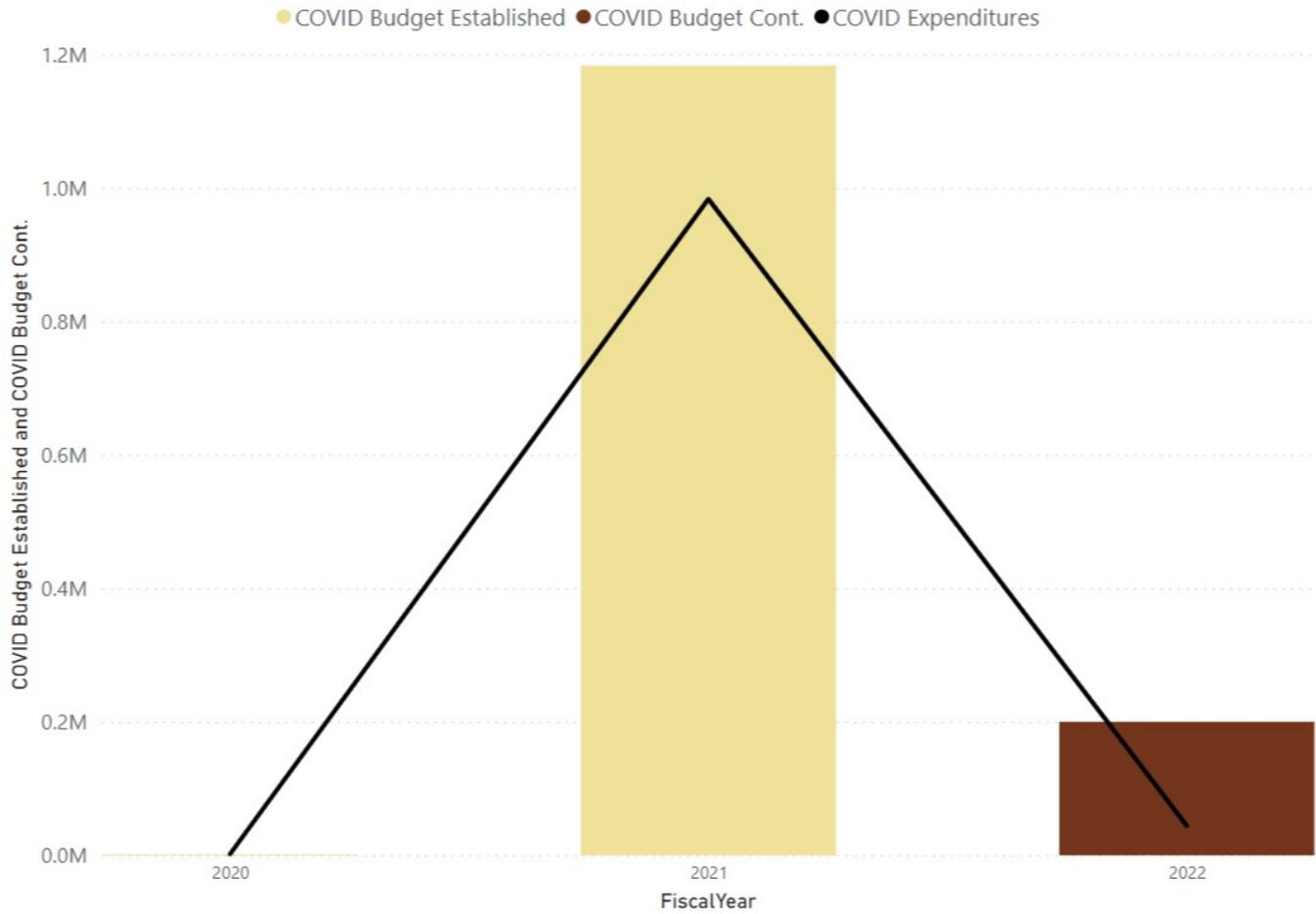
- HB 39 – Continued review of child protective services matters, \$6,500
- HB 689 - Revising campaign finance and practice laws, \$600
- SB 303 – Revising telecommunication contracts that provide services for state inmates, \$400

As of November 30, 2021, the Legislative Services Division has not expended any of these funds.

### ***COVID-19 Authority***

The following chart is provided to allow the legislature to examine the funding that is available to the agency for COVID-19 impacts. Administrative authority for CARES I and ARPA appropriations were allocated to the agency by the Governor’s Office. Administrative authority is not an appropriation and thus is not included in the total appropriation authority shown on the previous page.

COVID Established Budget, COVID Continuing Budget, and COVID Expenditures by Fiscal Year



The Legislative Branch received a total of \$1.2 million in COVID-19 funds including:

- \$985,000 in coronavirus relief funds to address social distancing aids, sanitizing supplies, and other costs associated with the COVID-19 pandemic. All of this funding was expended in the 2021 biennium
- \$200,000 of the American Rescue Plan Act funds appropriated in HB 632 to provide for remote or hybrid legislative meetings during FY 2022. Through November 30, 2022 the Legislative Services Division has expended \$44,000 of the funding, or 22.0%, for personal services

## HB 2 BUDGET MODIFICATIONS

The following chart shows the HB 2 budget as passed by the legislature, including the pay plan, and the HB 2 modified budget through November 30, 2021. Net modifications to the budget include operating plan changes from one expenditure account to another, program transfers, reorganizations, and agency transfers of authority. The **positive modifications** and **negative modifications** are shown by program, expenditure account, and fund type.

### Legislative Budget Compared to Modified Budget - HB 2 Only

Agency Name	Legislative Budget	Modified Budget	Net Modifications
<input type="checkbox"/> <b>Legislative Branch</b>	<b>21,307,495</b>	<b>21,307,495</b>	<b>0</b>
<b>Total</b>	<b>21,307,495</b>	<b>21,307,495</b>	<b>0</b>

Acct & Lvl 1 DESC	Legislative Budget	Modified Budget	Net Modifications
<input type="checkbox"/> 61000 Personal Services	14,140,963	14,173,391	32,428
<input type="checkbox"/> 62000 Operating Expenses	5,662,836	5,630,408	-32,428
<input type="checkbox"/> 63000 Equipment & Intangible Assets	1,059,696	1,059,696	
<input type="checkbox"/> 68000 Transfers-out	444,000	444,000	

Fund Type	Legislative Budget	Modified Budget	Net Modifications
<input type="checkbox"/> <b>01 General</b>			
<input type="checkbox"/> Legislative Branch	18,347,071	18,347,071	0
<input type="checkbox"/> <b>02 State/Other Spec Rev</b>			
<input type="checkbox"/> Legislative Branch	2,960,424	2,960,424	

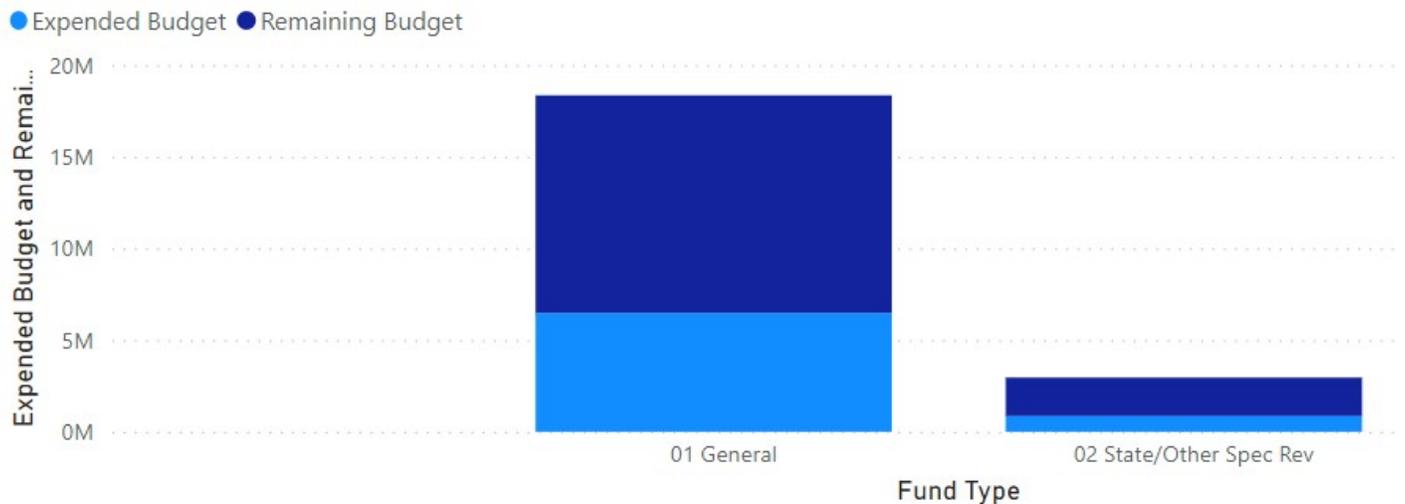
The legislature provided \$101,000 in general fund as a biennial, one-time-only appropriation in the 2023 biennium for the Districting and Apportionment Commission (DAC), with all of the funding in operating expenses. The Legislative Committees and Activities Division moved \$32,428 from operating expenses to personal services for salaries and benefits of members of the DAC. Through November 30, 2021, expenditures for DAC include \$6,600 in personal services and \$7,100 in operating expenses.

The Districting and Apportionment Commission has the authority to draw the boundaries of congressional and legislative districts every 10 years based on the results of the decennial U.S. Census. Statute requires that the DAC file its final plan for congressional districts with the Secretary of State within 90 days of the release of the final census numbers. DAC adopted the final congressional district map on November 12, 2021.

## HB 2 APPROPRIATION AUTHORITY

The following chart shows the appropriated budget for the agency compared to expenditures through November 30, 2021.

### Expended Budget and Remaining Budget by Fund Type - HB 2 Only



acclv1_descr	Modified Budget	Expended Budget	Percent Expended
⊕ Personal Services	14,173,391	5,010,253	35.3%
⊕ Operating Expenses	5,630,408	1,989,354	35.3%
⊕ Equipment & Intangible Assets	1,059,696	202,398	19.1%
⊕ Transfers-out	444,000	139,371	31.4%

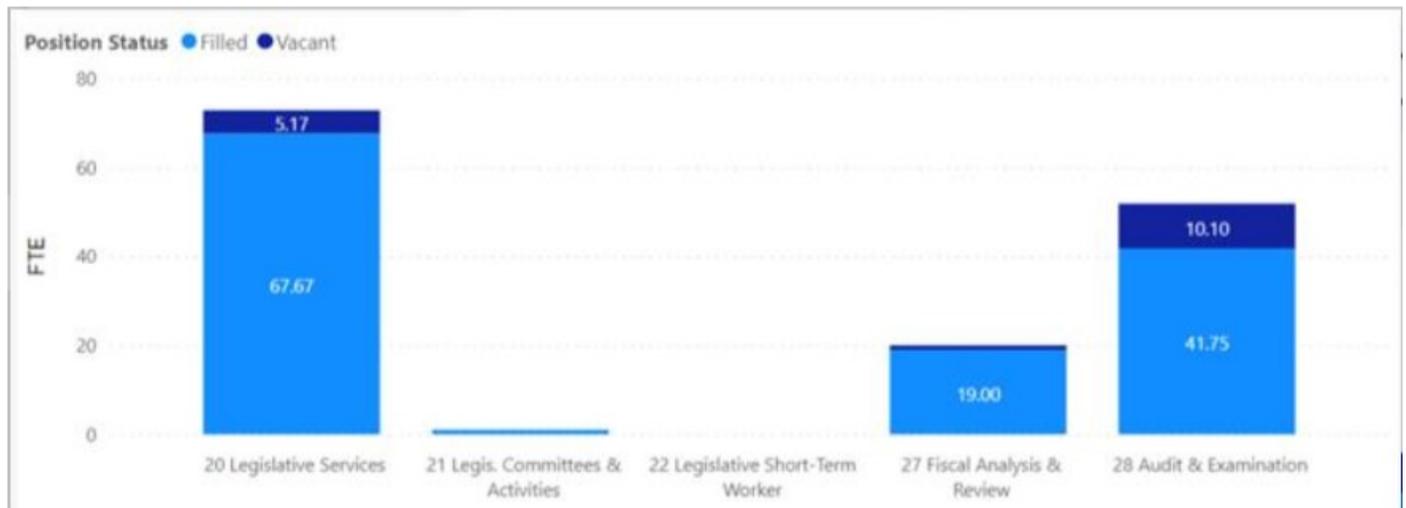
Program Name	Modified Budget	Expended Budget	Percent Expended
⊕ AUDIT & EXAMINATION	5,088,088	1,634,166	32.1%
⊕ FISCAL ANALYSIS & REVIEW	2,354,534	851,909	36.2%
⊕ LEGIS. COMMITTEES & ACTIVITIES	1,623,848	659,693	40.6%
⊕ LEGISLATIVE SERVICES	12,241,025	4,195,609	34.3%
<b>Total</b>	<b>21,307,495</b>	<b>7,341,376</b>	<b>34.5%</b>

General fund makes up 86.1% of the Legislative Branch HB 2 modified budget for FY 2022. State special revenues comprise the remaining 13.9% and supports costs associated with the state broadcasting services; the preparation, publication, and distribution of the Montana Code Annotated; and a portion of the activities of the Legislative Audit Division.

### Personal Services

Personal services make up 66.5% of the budget with expenditures of \$5.0 million or 35.4% spent as of November 30, 2021.

The following chart shows the filled and vacant FTE within the agency funded through HB 2 as of November 1, 2021.



As shown, overall the Legislative Branch had 11.3% of its HB 2 positions vacant as of November 1, 2021 including:

- 5.17 FTE or 7.5% within the Legislative Services Division, 1.00 FTE is a research analyst and the remaining are for seasonal legislative employees
- 1.00 FTE or 4.8% within the Legislative Fiscal Division
- 10.10 FTE or 19.1% within the Legislative Audit Division

Due to the cyclical nature of legislative work the Legislative Branch uses aggregate FTE to budget for salary and benefits for multiple individuals working for limited periods of time in any given biennium. Of the 5.17 FTE showing vacant in the Legislative Services Division, 4.17 FTE are aggregated positions for editors that review the changes to the Montana Code Annotated during the interim and the various bills that are drafted prior to and during the legislative session. The positions are not filled currently but were used between July and September.

Staff recruitment and retention within the Legislative Branch continues to be a challenge, an issue recognized by the legislature. The 2021 Legislature provided all three divisions with additional personal services appropriations in the 2023 biennium to address staff salaries that are below the levels of similar positions within state government. The directors allocated the funding to market adjustments in July 2021.

In addition, the Legislative Branch is recruiting to fill a number of the vacancies in the next few months.

## **Operating Expenses**

Operating expenses make up 26.4% of the Legislative Branch FY 2022 HB 2 modified budget. As of November 30, 2021, the branch has spent \$2.0 million, or 35.6% of the operating expenses budget. Increased operating expenses made in the first five months of the year include:

- \$52,000 for broadcast production services
- \$59,000 for webhosting
- \$147,000 for video site management expenses
- \$380,000 for software maintenance
- \$421,000 in annual dues

## **Equipment and Intangible Assets**

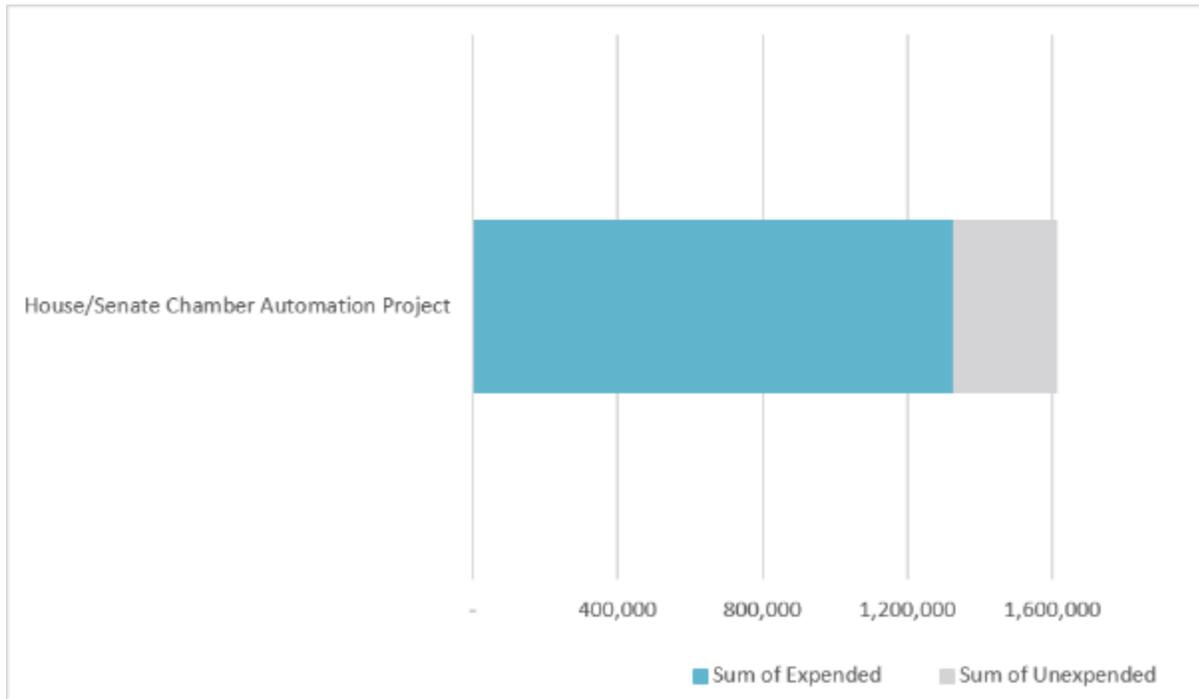
Equipment and intangible assets make up 5.0% of the FY 2022 HB 2 modified budget. The majority of the funding (91.1%) was provided as a biennial, one-time-only general fund appropriation for upgrades for the LAWS system, legislative audit work paper automation, the legislator portal, codification application upgrade, and broadcasting system. As of the end of November, the Legislative Branch has expended \$202,000.

## **Transfers Out**

Transfers out make up 2.1% of the FY 2022 HB 2 modified budget. The majority of the funding was provided as a biennial, one-time-only general fund appropriation for a transfer to the Legislative Branch retirement termination reserve account. The funds in the Legislative Branch retirement termination reserve account may be used for staff retirement termination pay in the Legislative Branch. The funds may only be expended with the approval of the appropriate branch division director. The funds will be transferred to the retirement termination reserve account and used for anticipated retirement termination payouts.

## OTHER ISSUES

### Information Technology Project Expenditures



The Legislative Branch revised its budget for the House/Senate chamber automation project in April 2021, increasing the overall budget by \$109,600 and modifying the estimated completion date to December 2021 due to delays related to the impacts of COVID-19 on resource availability. Testing for the entire process for bills, from drafting through introduction, committee action, chamber action, Governor’s amendments, and enrolling is scheduled to be completed at the end of December 2021.

### Required Reports

The Legislative Branch did not have any budget amendments, operating plan changes, or program transfers that require reporting to the Legislative Finance Committee.