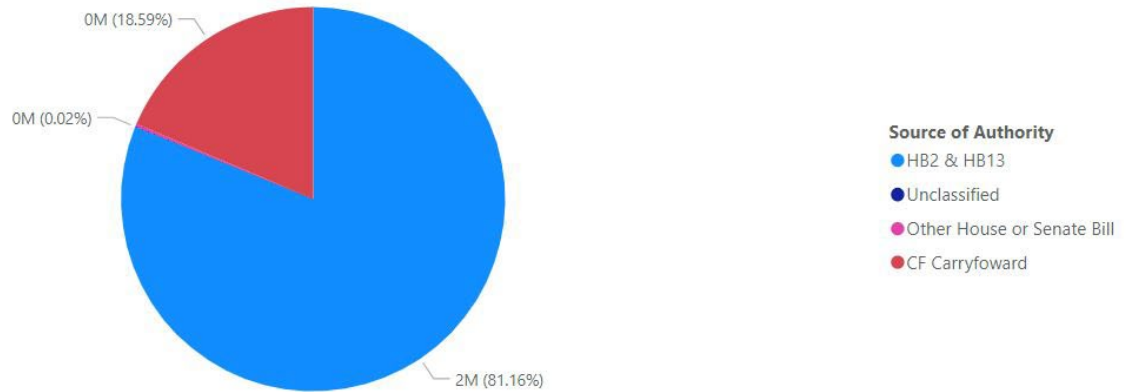


CONSUMER COUNSEL

TOTAL APPROPRIATION AUTHORITY

The total appropriation authority for the Consumer Counsel is shown in the pie chart below. HB 2 and HB 13 provide 81.2% 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	FYE23 Modified Budget	FYE23 Expended Budget	Percent Expended
HB2 & HB13	1,850,027	1,385,444	74.9%
CF Carryforward	423,699		
Other House or Senate Bill	5,324	5,200	97.7%
Unclassified	460		
Total	2,279,510	1,390,644	61.0%

Report Period

- Jul
- Aug
- Sep
- Oct
- Nov
- Dec
- Jan
- Feb
- Mar
- Apr
- May
- Jun

Carryforward Authority

The Consumer Counsel reestablished \$217,852 in operating expenses in FY 2021 carryforward authority in FY 2023. At the 2023 fiscal year-end (FYE), the funding was not utilized and will revert to the funds from which they originated.

In addition, the Consumer Counsel established \$205,847 in operating expenses for FY 2022 carryforward authority in FY 2023. As reflected in the figure above, as of the end of FY 2023 the Consumer Counsel had not expended these carryforward appropriations. The FY 2022 carryforward authority will be available for FY 2024 expenditures.

Other Bills

HB 13 – State Employee Pay Plan

HB 13 (2023 Legislature) included a one-time, lump-sum payment to state employees. Full-time employees received a payment of \$1,040, which was prorated for employees that work less than full-time. This payment was effective in the first full pay period following HB 13 being enacted. The Consumer Counsel expended \$5,200 in FY 2023 for these lump-sum payouts.

Unclassified

Per 39-71-403(1)(b)(iv), MCA, when workers’ compensation premiums are lower than the previous year, state agencies shall reduce personal services appropriations by the amount of the premium reduction. To track the changes in appropriation authority, total appropriation is not reduced, instead the Governor’s Office of Budget and Program Planning (OBPP) requires state agencies to:

- Reduce HB 2, statutory, and proprietary appropriations
- Create a separate offsetting entry on the financial statements in the same amount using an identifying number for workers’ compensation entries

The offsetting entries are identified as “frozen” appropriations, which means the appropriations will not be spent unless authorized by OBPP. The Consumer Counsel reduced personal services appropriations by \$460 for workers’ compensation premium savings.

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 between July 1, 2022, and June 30, 2023. 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	Starting Budget	Legislative Budget	Net Modifications
<input type="checkbox"/> Consumer Counsel	1,700,487	1,700,487	149,540
ADMINISTRATIVE PROGRAM	1,700,487	1,700,487	149,540
Total	1,700,487	1,700,487	149,540

Acct & Lvl 1 DESC	Starting Budget	Legislative Budget	Net Modifications
<input type="checkbox"/> 61000 Personal Services	691,543	691,543	-460
<input type="checkbox"/> 62000 Operating Expenses	1,007,278	1,007,278	110,058
<input type="checkbox"/> 69000 Debt Service	1,666	1,666	39,942

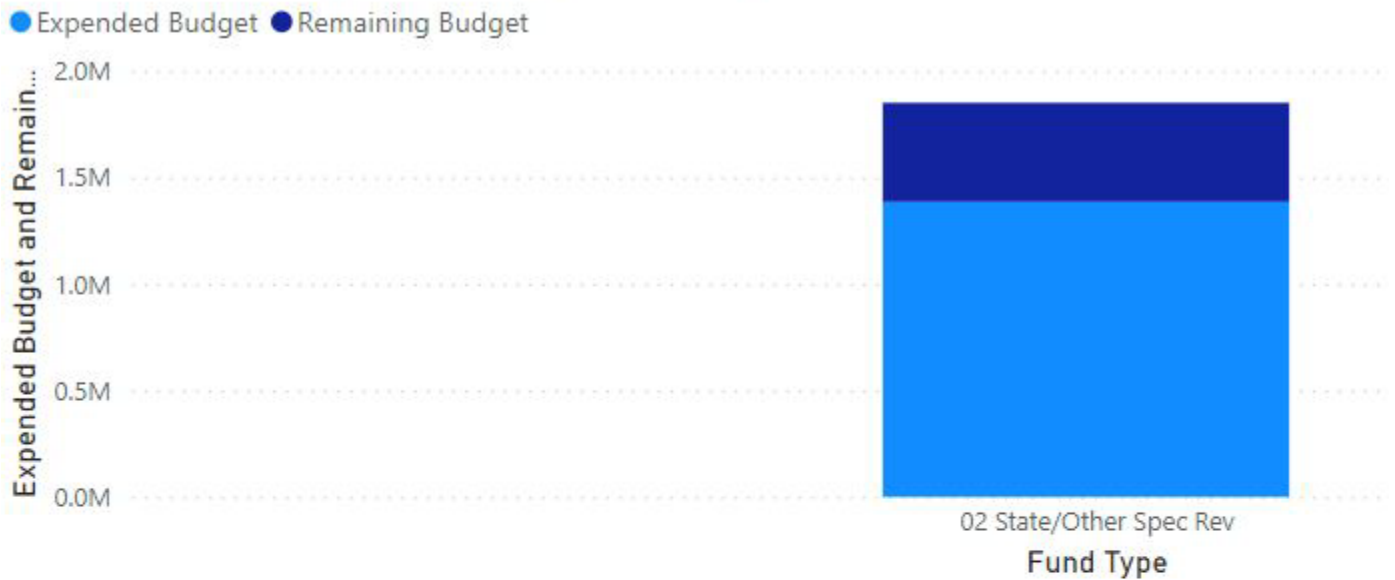
Fund Type	Starting Budget	Legislative Budget	Net Modifications
<input type="checkbox"/> 02 State/Other Spec Rev	1,700,487	1,700,487	149,540

The Consumer Counsel was granted \$300,000 in biennial and restricted HB 2 operating authority for caseload contingency in the 2021 Legislative Session. The \$150,000 operating authority for FY 2022 was not utilized and was carried forward into FY 2023. In addition, the Consumer Counsel moved \$39,942 in operating authority to debt service authority for the change in lease accounting standards.

HB 2 APPROPRIATION AUTHORITY

The following chart shows the appropriated budget for the agency compared to expenditures through fiscal year end.

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



acclv1_descr	Modified Budget	Expended Budget	Percent Expended
Personal Services	691,083	609,223	88.2%
Operating Expenses	1,117,336	734,615	65.7%
Debt Service	41,608	41,607	100.0%

Program Name	Modified Budget	Expended Budget	Percent Expended
ADMINISTRATIVE PROGRAM	1,850,027	1,385,444	74.9%
Total	1,850,027	1,385,444	74.9%

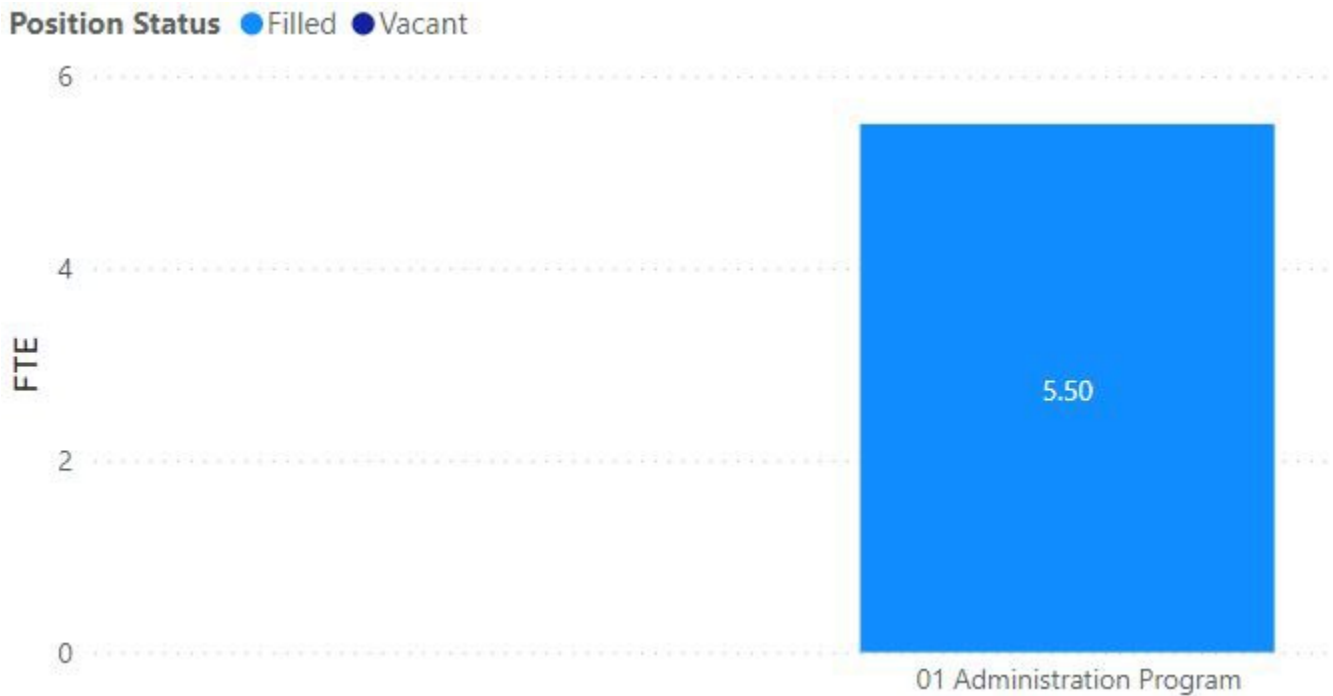
The Consumer Counsel is entirely funded with state special revenue generated by fees imposed on regulated entities under the jurisdiction of the Public Service Commission.

Personal Services

Personal services made up 37.4% of the HB 2 modified budget and, as shown in the chart above, were 88.2% expended as of the end of FY 2023.

Vacancies

The following chart shows the filled and vacant FTE within the agency as of June 1, 2023.



As of June 1, 2023, the Consumer Counsel had no vacant positions.

Turn over

In FY 2023, the Consumer Counsel was fully staffed.

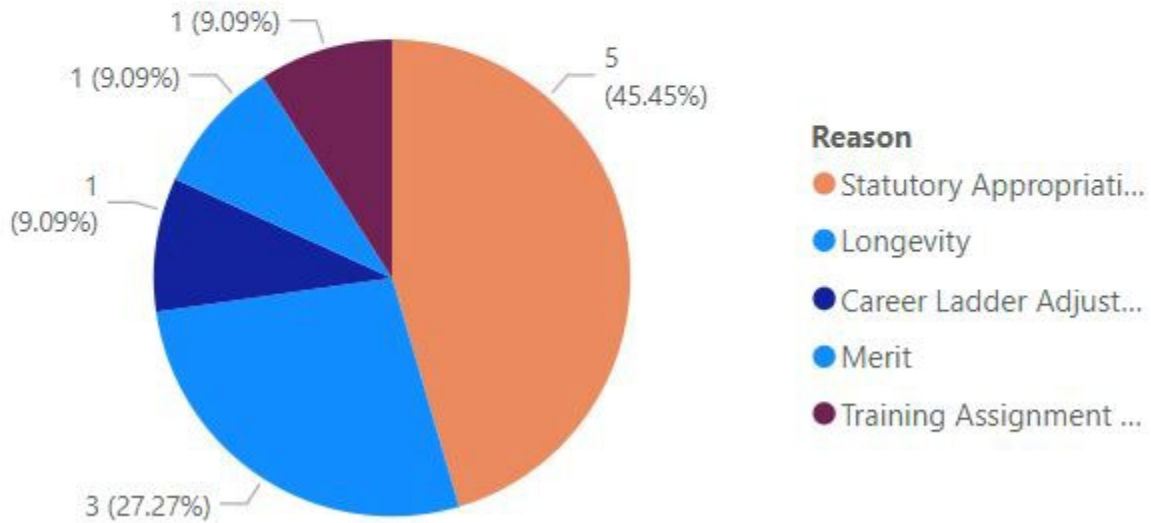
Utilization Rate

The Consumer Counsel utilized 87.9% of its HB 2 personal services budget. Changes in the salaries for the new hires result in lower expenditures for personal services, partially offset by pay adjustments approved at the April 13, 2022, Legislative Consumer Committee meeting.

Pay Rate Changes

The following figure shows pay adjustments within the Consumer Counsel in FY 2023. The following figure includes both legislatively approved pay changes and management decisions.

Number of Positions that Received Pay Changes



Statute exempts the employees of the Consumer Council from the general provisions, classification, and compensation determination requirements outlined for other state employees. The human resource system categorizes these positions as exempt and appointed.

Operating Expenses

Operating expenses make up 60.4% of the FY 2023 HB 2 modified budget and were 65.7% expended at the end of FY 2023. Included in the operating expenses is a restricted, biennial appropriation of \$300,000 for caseload contingencies. As of FYE 2023, the Public Service Commission filings and state and federal court hearings have not required the use of the caseload contingency.

OTHER ISSUES

Required Reports

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