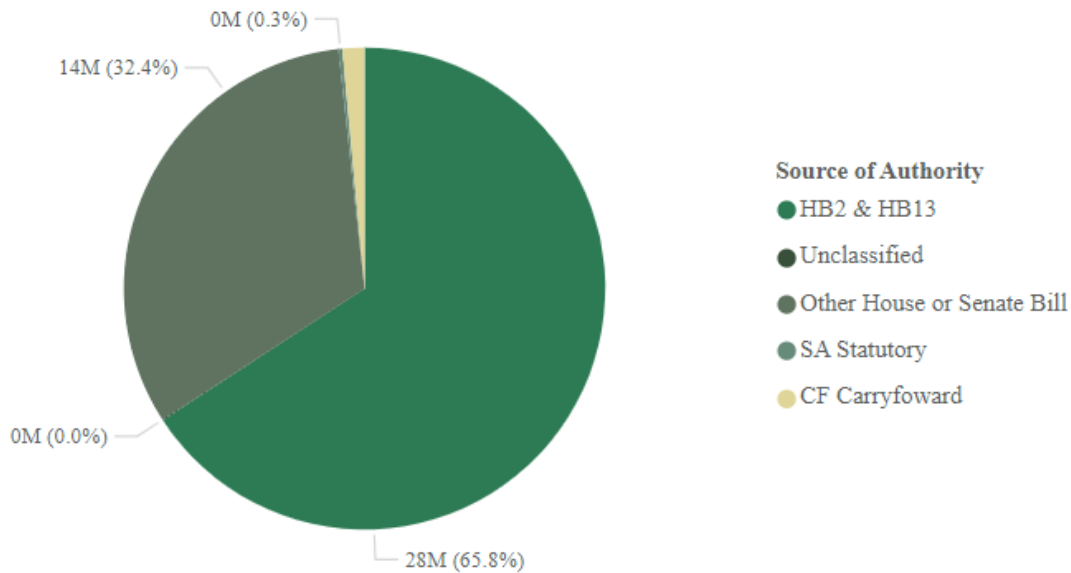


LEGISLATIVE BRANCH

TOTAL APPROPRIATION AUTHORITY

The total appropriation authority for the Legislative Branch is shown in the pie chart below. HB 2 and HB 13 provide 65.8% 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	% Expended
HB2 & HB13	27,660,217	21,948,286	79.3%
CF Carryforward	622,443	69,259	11.1%
Other House or Senate Bill	13,624,898	7,829,776	57.5%
SA Statutory	105,654	47,460	44.9%
Unclassified	7,029		
Total	42,020,242	29,894,780	71.1%

Other Bills

HB 1 – Legislative Feed Bill

HB 1 appropriations in FY 2024 total \$7.1 million, which is 52.3% of the authority included in other bills. HB 1 provides appropriations for the operations of the current legislative session, the costs of preparing for the next legislative session, and the initial costs for the next legislative session. The Legislative Branch expended approximately \$2.7 million or 38.6% as of May 31, 2024. The current expenditures in FY 2024 are primarily for the state share of healthcare benefits for legislators during the interim and House and Senate staff salaries and benefits.

HB 856 – Generally Revise Capitol Complex Administrative Laws

HB 856 established laws related to legislative space in the Capitol and on the Capital Complex. Included in this bill was an appropriation of \$6.25 million, which may be used for developing a long-range plan related to legislative space needs as well as to plan, renovate, replace, and construct capital improvements for the Legislative Branch. As of May 31, 2024, the Legislative Branch has expended approximately \$5.0 million or 80.7%. Expenditures of \$5.0 million are for a transfer of funding to the Architecture and Engineering Division in the Department of Administration for capital projects related to legislative space. The remaining expenditures of approximately \$44,000 are associated with the Legislative Council's planning committee and include travel and consulting expenses.

Other Appropriations, Study, Task Force, and Commission Bills

The Legislative Branch receives funding in several other bills for studies, task forces, and commissions. These bills comprise less than 2.0% of the funding in other bills, and include:

- HB 5 – Long-Range Building Appropriations – This bill included a \$30,000 general fund appropriation to the Legislative Fiscal Division to support the activities of the select committee on corrections facility capacity and system development. At this point in the fiscal year, expenditures total approximately \$6,300 or 21.0%
- HB 29 – Revise Laws Related to Involuntary Commitment of People with Dementia or Traumatic Brain Injury (TBI) – In FY 2024, a general fund appropriation of approximately \$24,000 to the Legislative Services Division was established for the costs of the transition review committee. As of May 31, 2024, this appropriation is 12.3% expended
- HB 220 – Create Select Committee on Energy Resource Planning and Acquisition – In FY 2024, a general fund appropriation of \$59,500 to the Legislative Services Division was established for a select committee on energy resource planning and acquisition. Expenditures at this point in the fiscal year total \$15,000 or 25.1%
- HB 424 – Generally Revise Sustainability of State Finance and Provide for Transfers – In FY 2024, a general fund appropriation of \$17,500 to the Legislative Fiscal Division was established for the study of the state budget process and personal services expenditures. Expenditures at this point in the fiscal year total \$5,300 or 30.5%
- HB 520 – Interim Study of Private Ponds – In FY 2024, a general fund appropriation of \$35,000 to the Legislative Services Division was established. This legislation requires a study on the effects of private ponds in the state, including but not limited to examinations of the impacts of permitting, water rights, and options to mitigate negative impacts. As of May 31, 2024, this appropriation is 0.0% expended. There is a scheduled site visit to the Dillon area in July, so expenditures are anticipated to increase
- SB 11 – Generally Revise Criminal Justice System Laws - This legislation provides for the creation of a Montana criminal justice data warehouse and requires access be provided to the Legislative Fiscal Analyst and the Legislative Services Division Director. In FY 2024, a general fund appropriation of \$1,750 to the Legislative Services Division was established for the purpose of paying for additional travel costs related to the new members of the criminal justice oversight council. At this point in the fiscal year, this appropriation is 0.0% expended. While there have been meetings, the non-legislative members of the council have not made reimbursement claims primarily because they are attending the meetings as part of their work duties
- SB 182 – Create Task Force on a Court System for Dependency and Neglect Cases - This legislation creates an interim task force to study the dependency and neglect court system. The bill includes

general fund appropriations to the Legislative Services Division of approximately \$68,000 in FY 2024, which is 7.5% expended as of this point in the fiscal year

- SB 352 – Create Task Force to Modify and Improve the Child Protective Services System - This legislation creates a work group to assist in an interim review to modify and improve child protective services. In FY 2024, a general fund appropriation to the Legislative Services Division of \$10,500 was established and is 19.8% expended

Carryforward Authority

The Legislative Branch has carryforward authority of approximately \$622,000, which is 1.5% of the total appropriation authority. The carryforward authority includes:

- Approximately \$62,000 in the Legislative Services Division (LSD), in which \$48,000 is general fund, and \$14,000 is state special revenue funds. LSD has expended \$48,000 of general fund on termination payouts as of this point in the fiscal year
- Approximately \$173,000 of general fund in Legislative Committees and Activities (LCA). The carryforward authority is 2.8% expended in LCA. Expenditures were for travel costs and a subscription for legislative districts mapping software
- Approximately \$40,000 of general fund in the Legislative Fiscal Division (LFD). LFD has expended approximately \$13,000 on a Snowflake subscription
- Approximately \$347,000 in the Legislative Audit Division (LAD), in which \$324,000 is general fund and \$23,000 is state special revenue funds. LAD has expended \$3,500 or 1.0% of its available carryforward authority on computer hardware as this point in the fiscal year

Statutory Appropriations

The Legislative Branch retirement reserve account has appropriations of \$106,000 in FY 2024, which are 44.9% expended. 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.

Unclassified

The Legislative Branch has unclassified appropriation authority of \$7,000 because of lower workers' compensation premiums. 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 appropriations are 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.

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 from March 1, 2024 through May 31, 2024. 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	HB 2 Budget	Modified Budget	Net Modifications
Legislative Branch	27,660,217	27,660,217	
20 LEGISLATIVE SERVICES	16,789,240	16,789,240	
21 LEGIS. COMMITTEES & ACTIVITIES	1,656,619	1,656,619	
27 FISCAL ANALYSIS & REVIEW	3,437,935	3,437,935	
28 AUDIT & EXAMINATION	5,776,423	5,776,423	
Total	27,660,217	27,660,217	

Expenditure Type	HB 2 Budget	Modified Budget	Net Modifications
61000 Personal Services	18,540,509	18,540,509	
62000 Operating Expenses	7,135,975	7,135,975	
63000 Equipment & Intangible Assets	1,763,173	1,763,173	
68000 Transfers-out	220,560	220,560	
Total	27,660,217	27,660,217	

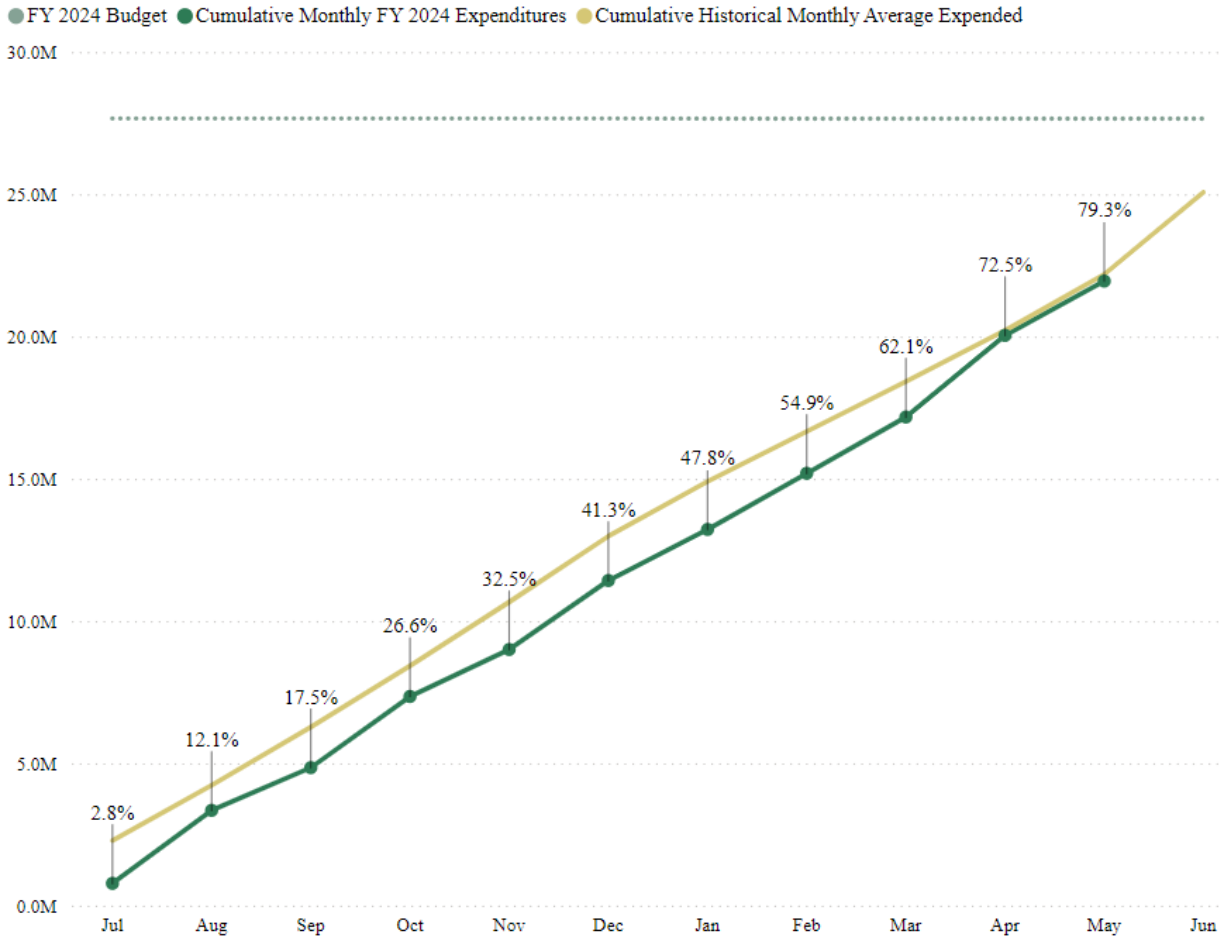
Fund Type	HB 2 Budget	Modified Budget	Net Modifications
01 General	25,138,657	25,138,657	
02 State/Other Spec Rev	2,521,560	2,521,560	
Total	27,660,217	27,660,217	

The Legislative Branch did not have any budget modification between March 1, 2024 and May 31, 2024.

HB 2 APPROPRIATION AUTHORITY

The following chart shows the appropriated budget for the agency compared to expenditures through May 31, 2024.

Monthly Expenditures Compared to Historical Average



Program Name	Modified Budget	Expended Budget	% Expended
20 LEGISLATIVE SERVICES	16,789,240	13,657,290	81.3%
21 LEGIS. COMMITTEES & ACTIVITIES	1,656,619	925,405	55.9%
27 FISCAL ANALYSIS & REVIEW	3,437,935	2,613,779	76.0%
28 AUDIT & EXAMINATION	5,776,423	4,751,722	82.3%
Total	27,660,217	21,948,286	79.3%

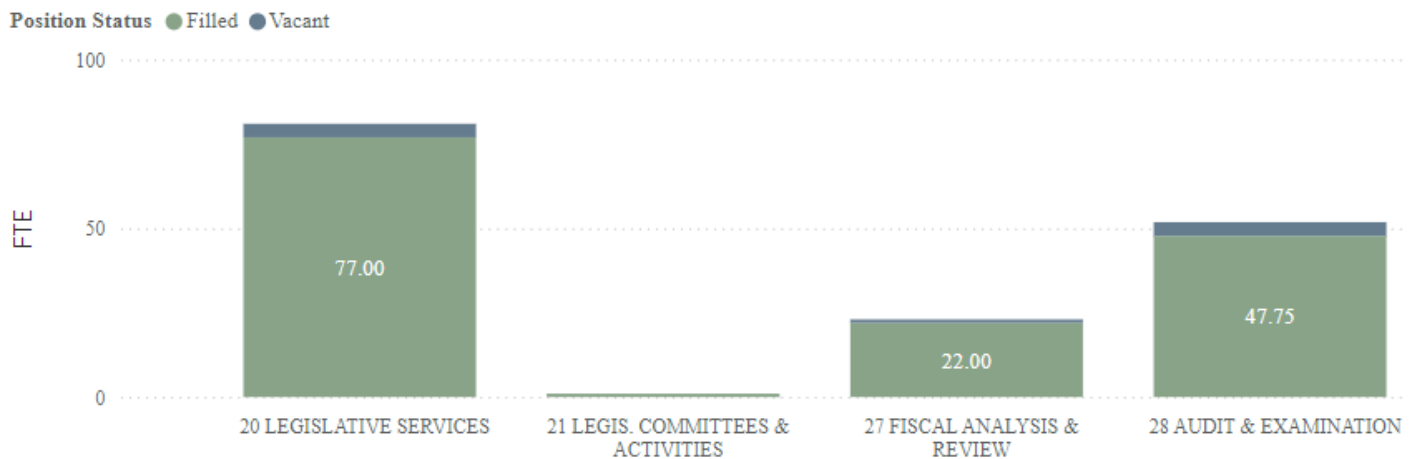
Expenditure Type	Modified Budget	Expended Budget	% Expended
Personal Services	18,540,509	15,411,793	83.1%
Operating Expenses	7,135,975	5,696,040	79.8%
Equipment & Intangible Assets	1,763,173	715,453	40.6%
Transfers-out	220,560	125,000	56.7%
Total	27,660,217	21,948,286	79.3%

Fund Type	Modified Budget	Expended Budget	% Expended
01 General	25,138,657	19,903,795	79.2%
02 State/Other Spec Rev	2,521,560	2,044,491	81.1%
Total	27,660,217	21,948,286	79.3%

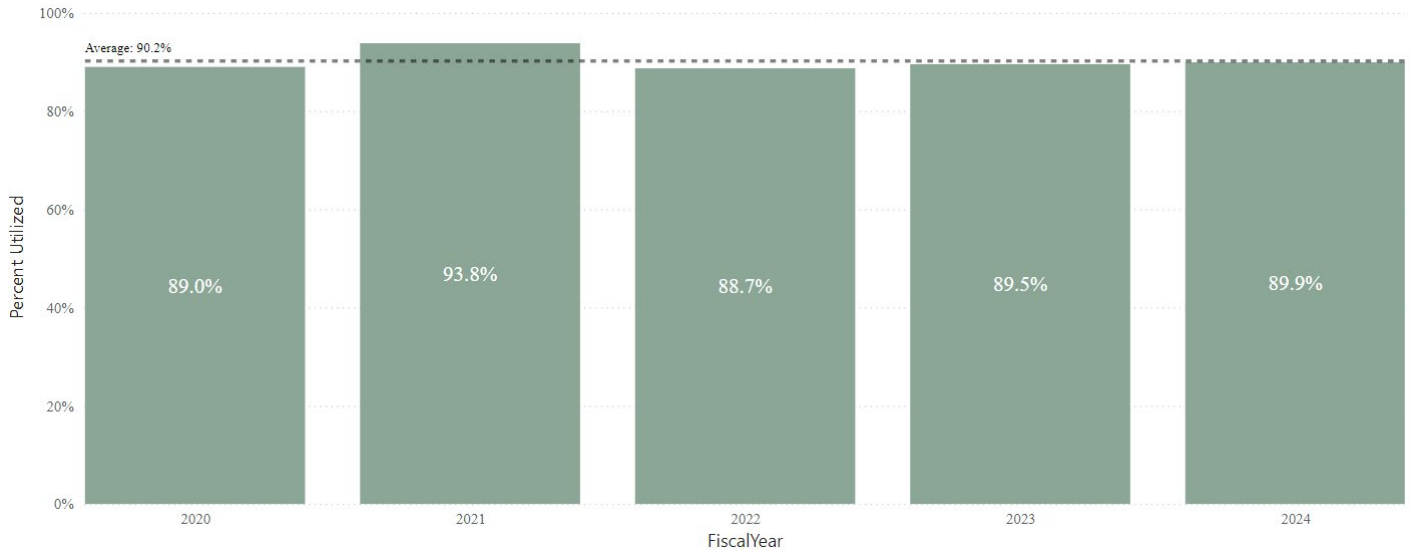
Overall, the Legislative Branch expended 79.3% of its \$27.7 million HB 2 modified budget as of May 31, 2024. This is in line with the historical average percent expended of 80.2%. Equipment and intangible assets are 40.6% expended and transfers-out are 56.7% expended at this point in the fiscal year. The majority of the budget for equipment and intangible assets is for the branch integration of finance (BIF) project, which has just entered the executing phase and is discussed in more detail below. The transfers-out includes an annual transfer to the General Services Division for security in the Capitol. The branch anticipates moving the unspent portion of the transfers-out to operating expenses because archiving, which has previously been completed by the Montana Historical Society, will now be completed internally.

Personal Services

Appropriations for personal services in the Legislative Branch total approximately \$18.5 million and are 83.1% expended through May 31, 2024. The branch has 156.85 HB 2 FTE, excluding aggregate positions, and 94.2% of these positions were filled as of May 1, 2024. The following chart shows the filled and vacant FTE within the agency as of May 1, 2024.



The chart below shows the hourly utilization percentage for the Legislative Branch between July 1 and May 1 for each fiscal year when compared to the available hours for the same time period. Overall, the branch has utilized 89.9% of the hours budgeted for FY 2024. This is in line with the five-year average of 90.2%. The 2023 Legislature approved additional FTE, and a number of these positions included deferred hire dates. This is impacting the percentage of hours utilized in FY 2024.



The chart below shows the vacant FTE in each division, the number of months each position has been vacant, and the midpoint hourly pay rate. Of the 8.00 FTE that are vacant, 7.00 FTE have been vacant from the start of the fiscal year (July 2023) or less. The attorney position had a deferred start date approved by the 2023 Legislature, and the Legislative Services Division recruited for this position but did not hire anyone from the applicant pool. The division anticipates reposting this position soon.

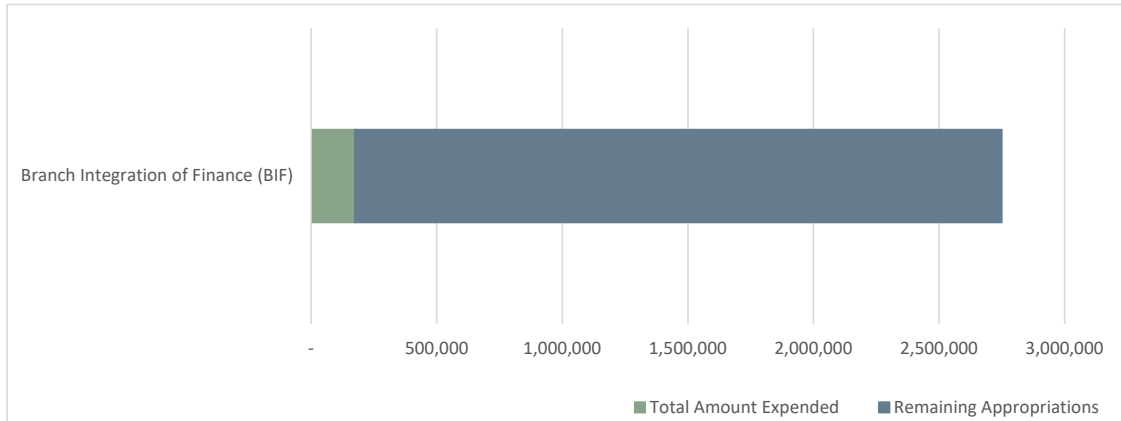
Vacant Positions Report

	FTE	Median Months Vacant	Market Midpoint (Hourly)
11040 LEGISLATIVE BRANCH	8.00	3.77	38.55
20 LEGISLATIVE SERVICES	3.00	1.74	40.30
Attorney	1.00	10.00	44.33
Research Assistant	1.00	1.74	25.17
Sr Business Analyst	1.00	0.30	40.30
27 FISCAL ANALYSIS & REVIEW	1.00	3.57	40.72
Fiscal Analyst	1.00	3.57	40.72
28 AUDIT & EXAMINATION	4.00	4.46	33.42
Financial Compliance	1.00	2.20	30.03
Information Systems	1.00	4.95	50.04
Mgmt Program Analyst	1.00	3.97	36.80
Performance Auditor	1.00	15.74	30.03
Total	8.00	3.77	38.55

OTHER ISSUES

Information Technology Project Expenditures

The following figure shows the expenditures and appropriations for the branch integration of finance (BIF) information technology project.



The 2023 Legislature approved a restricted, one-time-only appropriation of \$2.2 million in HB 2 for the BIF project. This project integrates the Legislative Fiscal Division (LFD) and the budgeting committees (House Appropriations Committee, Senate Finance and Claims Committee, and the six joint appropriations subcommittees) into the regular process of the Legislative Branch. Currently, most of the public and legislator information regarding HB 2 and the six joint appropriations subcommittees is found on the LFD website and is not available on the LAWS website. The primary goal of the project is to make appropriation bill information as accessible to the public and legislators as information for other bills.

The initial phase focuses on getting HB 2 into a viable product for the upcoming session by incorporating it into the bill drafting system, setting up the new fiscal note database, and prepping the website to better integrate HB 2. The coding to get HB 2 into the bill drafting system is underway by the vendor with testing to take place over the upcoming summer. The fiscal note database is being created in house and will have improved connections to executive fiscal note data. The website is being completed by the Office of Legislative Information Systems (OLIS).

The estimated delivery date is October 1, 2026, and the total budget, including internal costs, is estimated to be approximately \$2.8 million. The current amount expended at this point in the fiscal year is approximately \$174,000.