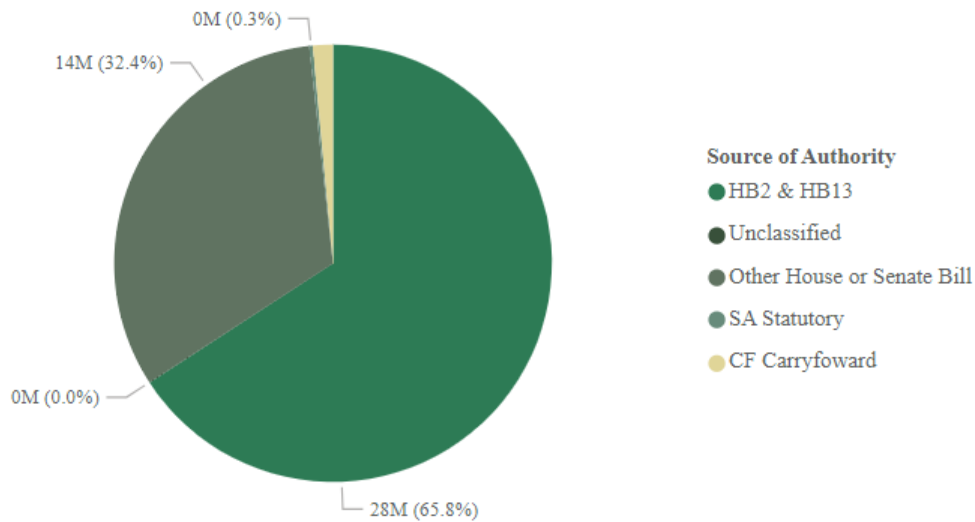


LEGISLATIVE BRANCH

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	15,191,994	54.9%
Other House or Senate Bill	13,624,898	2,038,827	15.0%
CF Carryforward	622,443	66,259	10.6%
SA Statutory	105,654		
Unclassified	7,029		
Total	42,020,242	17,297,080	41.2%

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 \$2.0 million or 27.9% as of February 29, 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 February 29, 2024, the Legislative Branch has expended approximately \$31,000 or 0.5%. Current expenditures 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 \$4,800 or are 16.1% expended
- 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 February 29, 2024, this appropriation is 7.3% 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 \$7,000 or 12.2%
- 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 \$3,600 or 20.5%
- 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 February 29, 2024, this appropriation is 0.0% expended. It is anticipated that expenditures will increase in May because of a scheduled site visit to southwest Montana and the Dillon area
- 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 two 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 3.2% expended as of February 29, 2024
- 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 20.0% expended

Carryforward Authority

The Legislative Branch has carryforward authority of approximately \$622,000, which is 10.6% 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 February 29, 2024
- Approximately \$173,000 of general fund in Legislative Committees and Activities (LCA). The carryforward authority is 1.0% expended in LCA as of February 29, 2024. Expenditures were for travel costs
- 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 of February 29, 2024

Statutory Appropriations

The Legislative Branch retirement reserve account has appropriations of \$106,000 in FY 2024, which are 0.0% 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 December 1, 2023 through February 29, 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	27,667,246	27,660,217	-7,029
20 LEGISLATIVE SERVICES	16,792,747	16,789,240	-3,507
21 LEGIS. COMMITTEES & ACTIVITIES	1,656,666	1,656,619	-47
27 FISCAL ANALYSIS & REVIEW	3,439,208	3,437,935	-1,273
28 AUDIT & EXAMINATION	5,778,625	5,776,423	-2,202
Total	27,667,246	27,660,217	-7,029

Expenditure Type	HB 2 Budget	Modified Budget	Net Modifications
61000 Personal Services	18,547,538	18,540,509	-7,029
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	27,667,246	27,660,217	-7,029

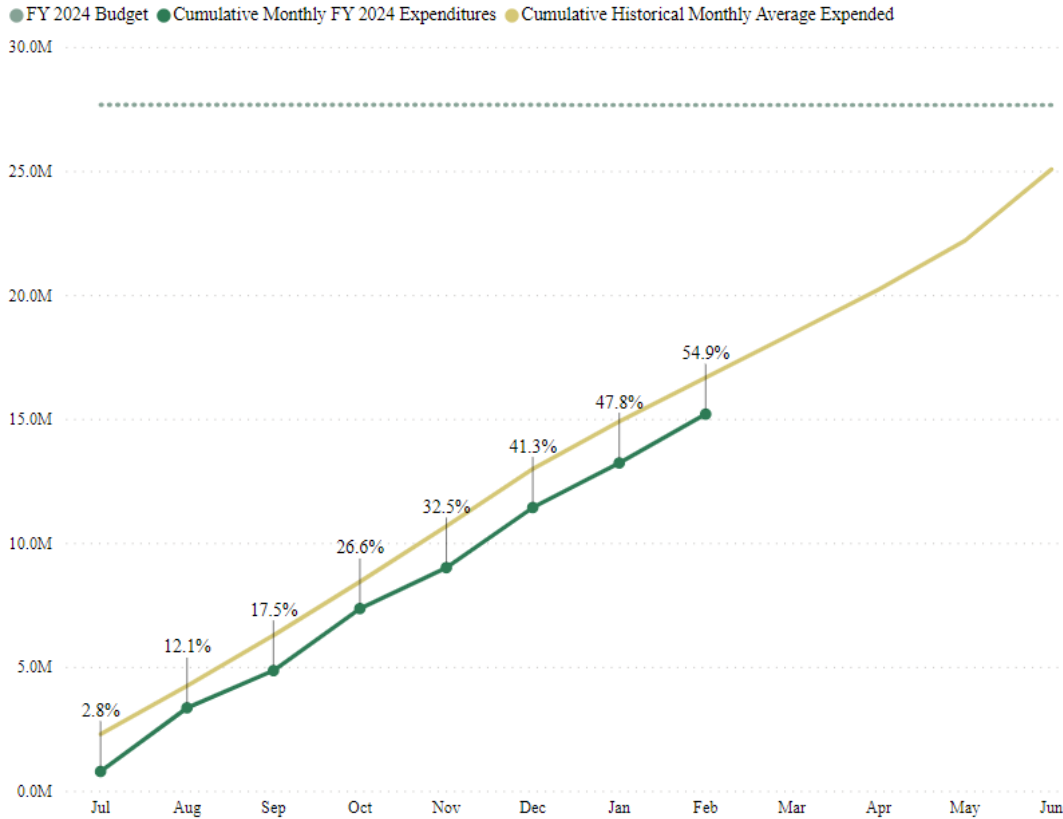
Fund Type	HB 2 Budget	Modified Budget	Net Modifications
01 General	25,144,685	25,138,657	-6,028
02 State/Other Spec Rev	2,522,561	2,521,560	-1,001
Total	27,667,246	27,660,217	-7,029

The Legislative Branch had one budget modification between December 1, 2023 and February 29, 2024. This modification reduced general fund and state special revenue appropriation by \$7,000 because of reductions to workers' compensation insurance (additional information is included in the Unclassified section above).

HB 2 APPROPRIATION AUTHORITY

The following chart shows the appropriated budget for the agency compared to expenditures through February 29, 2024.

Monthly Expenditures Compared to Historical Average



Program Name	Modified Budget	Expended Budget	% Expended
20 LEGISLATIVE SERVICES	16,789,240	9,248,637	55.1%
21 LEGIS. COMMITTEES & ACTIVITIES	1,656,619	779,869	47.1%
27 FISCAL ANALYSIS & REVIEW	3,437,935	1,835,597	53.4%
28 AUDIT & EXAMINATION	5,776,423	3,327,890	57.6%
Total	27,660,217	15,191,994	54.9%

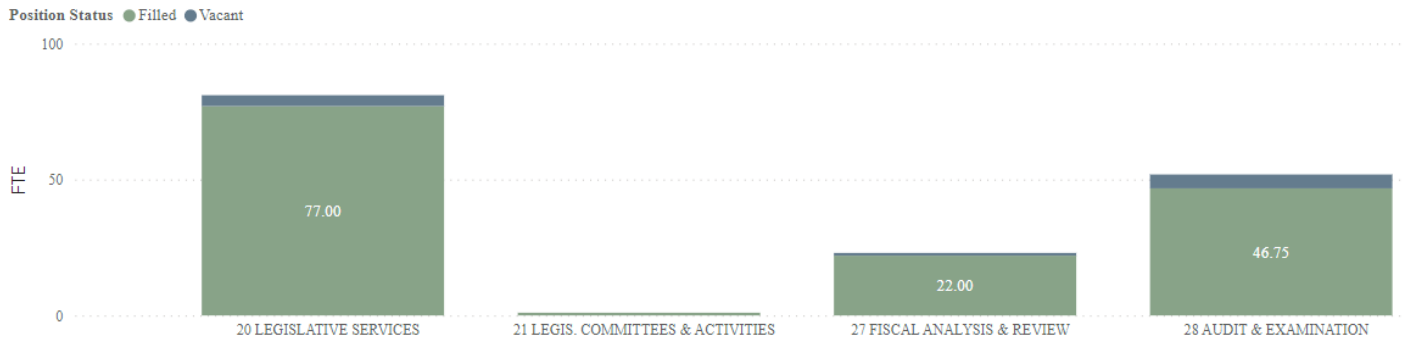
Expenditure Type	Modified Budget	Expended Budget	% Expended
Personal Services	18,540,509	10,747,982	58.0%
Operating Expenses	7,135,975	3,753,290	52.6%
Equipment & Intangible Assets	1,763,173	565,722	32.1%
Transfers-out	220,560	125,000	56.7%
Total	27,660,217	15,191,994	54.9%

Fund Type	Modified Budget	Expended Budget	% Expended
01 General	25,138,657	13,907,595	55.3%
02 State/Other Spec Rev	2,521,560	1,284,399	50.9%
Total	27,660,217	15,191,994	54.9%

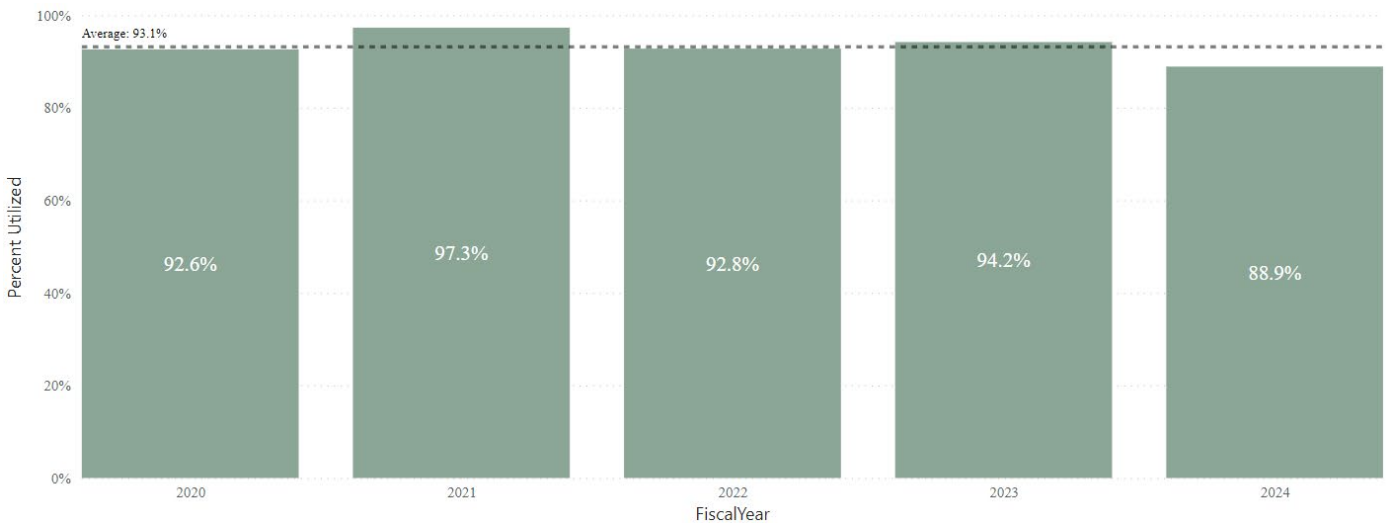
Overall, the Legislative Branch expended 54.9% of its \$27.7 million HB 2 modified budget as of February 29, 2024. This is slightly below the historical average percent expended of 60.2%. Operating expenses are 52.6% expended, equipment and intangible assets are 32.1% expended and transfers-out are 56.7% expended at this point in the fiscal year. Slightly lower operating expenses are primarily due to the timing of software renewals, which typically occur towards the end of the fiscal year. The majority of the budget for equipment and intangible assets is for the branch integration of finance (BIF) project, which is in the planning 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 58.0% expended through February 29, 2024. The branch has 156.85 HB 2 FTE, excluding aggregate positions, and 93.6% of these positions were filled as of February 1, 2024. The following chart shows the filled and vacant FTE within the agency as of February 1, 2024.



The chart below shows the hourly utilization percentage for the Legislative Branch between July 1 and February 1 for each fiscal year when compared to the available hours for the same time period. Overall, the branch has utilized 88.9% of the hours budgeted for FY 2024. This is slightly lower than the five-year average of 93.1%. 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 10.10 FTE that are vacant, 8.00 FTE have been vacant from the start of the fiscal year (July 2023) or less. The attorney and editor positions had deferred start dates approved by the 2023 Legislature and the Legislative Services Division is currently in the interview process for those positions. Additionally, the Legislative Audit Division is currently recruiting for a financial compliance auditor.

Vacant Positions Report

DEPT NUM/NAME	FTE	Median Months Vacant	Market Midpoint (Hourly)
⊖ 11040 LEGISLATIVE BRANCH	10.10	5.15	40.72
⊖ 20 LEGISLATIVE SERVICES	4.00	5.10	38.76
Attorney	1.00	7.05	44.33
Editor	1.00	7.05	33.19
Payroll Accounting Specialist	1.00	0.16	
Programmer Analyst	1.00	3.15	48.13
⊖ 27 FISCAL ANALYSIS & REVIEW	1.00	0.62	40.72
Fiscal Analyst	1.00	0.62	40.72
⊖ 28 AUDIT & EXAMINATION	5.10	6.38	39.04
Audit Intern	0.10	7.61	
Auditor	1.00	5.15	41.27
Information Systems	2.00	15.31	45.66
Mgmt Program Analyst	1.00	1.02	36.80
Performance Auditor	1.00	12.79	30.03
Total	10.10	5.15	40.72

OTHER ISSUES

Information Technology Project Expenditures

The 2023 Legislature approved a restricted, one-time-only appropriation of \$2.2 million in HB 2 for the session financial automation 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 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 \$55,000.