

Agency Budget Comparison

The following table compares 2014 actuals expenditures without one-time appropriations plus 2015 estimated appropriations including one-time appropriations, but excluding certain base appropriations to the 2017 biennial total legislative budget. The comparison is listed by year, type of expenditure, and source of funding. The biennial percent change column has been eliminated to allow for the transition to a comparison of biennial appropriations consistent with SB 140 in the future. The biennial appropriation growth/decline is listed in the agency highlight tables and the expenditure section of Volume 1 of this Fiscal Report.

Agency Budget Comparison							
Budget Item	Base Fiscal 2014	Approp. Fiscal 2015	Legislative Budget 2016	Legislative Budget 2017	Biennium Fiscal 14-15	Biennium Fiscal 16-17	Biennium Change
FTE	6.00	6.00	6.00	6.00	6.00	6.00	0.00
Personal Services	321,811	416,829	350,004	352,570	738,640	702,574	(36,066)
Operating Expenses	167,832	171,473	304,472	294,828	339,305	599,300	259,995
Total Costs	\$489,643	\$588,302	\$654,476	\$647,398	\$1,077,945	\$1,301,874	\$223,929
General Fund	489,643	588,302	654,476	647,398	1,077,945	1,301,874	223,929
Total Funds	\$489,643	\$588,302	\$654,476	\$647,398	\$1,077,945	\$1,301,874	\$223,929

Agency Description

Agency Mission: To monitor and to enforce, in a fair and impartial manner: campaign practices and campaign finance disclosure; lobbying disclosure; business interest disclosure of statewide and state district candidates, elected state officials, and state department directors, ethical standards of conduct for legislators, public officers, and state employees, and to investigate legitimate complaints that arise concerning any of the foregoing.

The Commissioner of Political Practices (COPP) has responsibilities that were defined by a legislative initiative in 1980 requiring disclosure of acts by lobbyists and business interests of elected officials. COPP also has responsibility for the ethical standards of conduct for legislators, public officers, and state employees pursuant to Title 2, Chapter 2, MCA.

Agency Highlights

Commissioner of Political Practices Major Budget Highlights
<p>The 2015 biennium legislative appropriation to the 2017 biennium legislative appropriation increased by 9.3%.</p> <p>The legislature provided general fund increases including:</p> <ul style="list-style-type: none"> • \$85,000 each year of the biennium for contracting legal services with the Department of Justice rather than an additional 1.00 FTE. This was line-item vetoed by the Governor and is not included as part of the increase discussed above • \$24,000 over the biennium for increased building rent • \$53,260 for the biennium to support online systems and database maintenance • \$12,816 for the biennium for secretarial performance adjustments and temporary services during peak workload periods

Summary of Legislative Action

The legislature provided increased funding above the 2015 biennial budget including \$170,000 in a restricted line item appropriation to allow the Commissioner of Political Practices (COPP) to contract for legal services with the Department of Justice. Prior to the 2015 biennium COPP contracted with the Department of Justice for its legal services. The 2013 Legislature provided a legal counsel to address a back-log of complaints as one-time-only. For the 2017 biennium, COPP requested 1.00 FTE and \$166,082 in general fund for an in-house legal counsel that had been provided as one-time-only in the 2015 biennium. Instead, the legislature provided restricted operating expenses to allow COPP to contract for legal services.

Governor Bullock line-item vetoed the restricted funding for the legal counsel. In his veto message the Governor stated that the COPP should have the ability to hire a staff attorney for the same amount or less rather than contract with the Department of Justice for legal services. At the time of this writing a legislative poll is being conducted to determine if the legislature will override the Governor's line-item veto. As a result of the veto, the Governor struck the appropriation of \$85,000 each year of the biennium. If additional funding is needed for a staff attorney it will more than likely need to come from the personal services contingency base funding provided to the Office of Budget and Program Planning within the Governor's Office.

Other funding provided to the COPP supports:

- Secretarial performance adjustments
- Increased costs for leasing two state buildings
- Online systems and database maintenance for the campaign reporting database
- Temporary services needed during the election period

Supplemental Appropriations

The legislature provided \$94,000 in supplemental appropriations for the COPP in FY 2015 to fund enforcement activities.

Funding

The following table shows agency funding by source of authority. Funding for each program is discussed in detail in the individual program narratives that follow.

Total Commissioner of Political Practices Funding by Source of Authority 2017 Biennium Budget - Commissioner of Political Practices						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
General Fund	1,301,874	0	0	1,301,874	100.00 %	
State Special Total	0	0	0	0	0.00 %	
Federal Special Total	0	0	0	0	0.00 %	
Proprietary Total	0	0	0	0	0.00 %	
Other Total	0	0	0	0	0.00 %	
Total All Funds	\$1,301,874	\$0	\$0	\$1,301,874		
Percent - Total All Sources	100.00 %	0.00 %	0.00 %			

Budget Summary by Category

The following summarizes the total budget utilizing the FY 2015 legislative base, present law adjustments, and new proposals.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget	Leg. Budget Fiscal 2016	Leg. Budget Fiscal 2017	Leg. Biennium Fiscal 16-17	Percent of Budget
2015 Budget	516,844	516,844	1,033,688	79.40 %	516,844	516,844	1,033,688	79.40 %
PL Adjustments	52,632	45,554	98,186	7.54 %	52,632	45,554	98,186	7.54 %
New Proposals	85,000	85,000	170,000	13.06 %	85,000	85,000	170,000	13.06 %
Total Budget	\$654,476	\$647,398	\$1,301,874		\$654,476	\$647,398	\$1,301,874	

Other Legislation

HB 84 - The legislature revised election laws to clarify, consolidate, and standardize certain dates and deadlines for election administration.

SB 16 - The legislature revised how the Commissioner of Political Practices is appointed and revised the qualifications for the office.

SB 289 - The legislature revised campaign finance laws requiring the COPP to update administrative rules related to the statutory changes. The fiscal note attached to the bill estimates a cost of \$2,000 as a result of the rule changes. COPP testified that it could absorb this cost within its existing resources.

Executive Budget Comparison

The following table compares the legislative budget for the 2017 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2014	Executive Budget Fiscal 2016	Legislative Budget Fiscal 2016	Leg — Exec. Difference Fiscal 2016	Executive Budget Fiscal 2017	Legislative Budget Fiscal 2017	Leg — Exec. Difference Fiscal 2017	Biennium Difference Fiscal 16-17
FTE	6.00	7.00	6.00	(1.00)	7.00	6.00	(1.00)	(1.00)
Personal Services	321,811	460,181	350,004	(110,177)	460,863	352,570	(108,293)	(218,470)
Operating Expenses	167,832	219,999	304,472	84,473	210,361	294,828	84,467	168,940
Total Costs	\$489,643	\$680,180	\$654,476	(\$25,704)	\$671,224	\$647,398	(\$23,826)	(\$49,530)
General Fund	489,643	680,180	654,476	(25,704)	671,224	647,398	(23,826)	(49,530)
Total Funds	\$489,643	\$680,180	\$654,476	(\$25,704)	\$671,224	\$647,398	(\$23,826)	(\$49,530)

The legislature increased operating expenses by \$85,000 each year of the biennium to allow the Commissioner of Political Practices to contract with the Department of Justice for legal services as opposed to funding 1.0 FTE for legal counsel as proposed by the executive. The Governor line item vetoed the funding in HB 2.

Other changes from the executive proposal include:

- Increases for general liability premiums
- Decreases for other fixed costs
- Adopted 2% vacancy savings applied to HB 2 positions within the boilerplate language of HB 2

Language and Statutory Authority

The legislature included the following language in HB 2:

"Legal Counsel is restricted to legal services provided by the department of justice."

Present Law Adjustments

The "Present Law Adjustments" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

Present Law Adjustments	-----Fiscal 2016-----					-----Fiscal 2017-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 400 - Secretarial Performance Adjustments	0.00	1,717	0	0	1,717	0.00	4,283	0	0	4,283
DP 401 - Operating Cost Adjustments	0.00	10,077	0	0	10,077	0.00	7,511	0	0	7,511
DP 402 - Lease Increase	0.00	12,000	0	0	12,000	0.00	12,000	0	0	12,000
DP 403 - Online systems and database maintance	0.00	26,630	0	0	26,630	0.00	26,630	0	0	26,630
DP 404 - Temporary Services	0.00	2,579	0	0	2,579	0.00	2,579	0	0	2,579
DP 510 - Legislative Audit - HB 2 2014 Fixed Costs (Restricted/Biennia	0.00	7,685	0	0	7,685	0.00	0	0	0	0
DP 515 - State Share Health Insurance	0.00	2,916	0	0	2,916	0.00	2,916	0	0	2,916
DP 525 - Fixed Cost Adjustment	0.00	(12,626)	0	0	(12,626)	0.00	(12,582)	0	0	(12,582)
DP 526 - 2017 Biennium Legislative Audit (Restricted/Biennial)	0.00	2,011	0	0	2,011	0.00	0	0	0	0
DP 527 - Inflation/Deflation Adjustment	0.00	1,441	0	0	1,441	0.00	1,449	0	0	1,449
DP 529 - Longevity and Other Adjustments	0.00	(2,112)	0	0	(2,112)	0.00	454	0	0	454
DP 531 - SITSD Rate Adjustment	0.00	458	0	0	458	0.00	458	0	0	458
DP 532 - General Liability Insurance Rate Adjustment	0.00	(102)	0	0	(102)	0.00	(102)	0	0	(102)
DP 550 - Motor Pool Rate Adjustment	0.00	(42)	0	0	(42)	0.00	(42)	0	0	(42)
Grand Total All Present Law Adjustments	0.00	\$52,632	\$0	\$0	\$52,632	0.00	\$45,554	\$0	\$0	\$45,554

**Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 400 - Secretarial Performance Adjustments -

The legislature adopted funding of \$7,658 general fund for the biennium to provide funding for performance adjustments of two secretarial positions.

DP 401 - Operating Cost Adjustments -

The legislature adopted an increase of \$9,884 general fund for the biennium to fund operating cost adjustments like court fees.

DP 402 - Lease Increase -

The legislature adopted an increase of \$24,000 for the biennium in general fund for the funding of leases for two small buildings. COPP was unable to find the right sized building on the Capitol campus and had to split into two offices.

DP 403 - Online systems and database maintance -

The legislature adopted \$53,260 general fund for the biennium to fund online systems and database maintance of the new campaign reporting database.

DP 404 - Temporary Services -

The legislature adopted an increase of \$2,579 general fund in each year of the biennium for funding of temporary services needed during the election period.

DP 510 - Legislative Audit - HB 2 2014 Fixed Costs (Restricted/Biennia -

The legislature provided a restricted biennial appropriation for the legislative audit costs. The funding is established at the level of the 2015 biennial appropriation contained in HB 2 as enacted by the 2013 Legislature.

DP 515 - State Share Health Insurance -

The legislature provided appropriation authority for the state share of health insurance, as adopted by the 2013 Legislature.

DP 525 - Fixed Cost Adjustment -

The legislature adopted proprietary rates for fixed costs charged to state agencies for services such as information technology or rent and grounds maintenance within the capitol complex. Rates for messenger services, legislative audit, grounds maintenance, records management, agency legal costs, and the statewide cost allocation plan were adopted as proposed by the executive. The legislature lowered proprietary rates for warrant writer, payroll services, SABHRS, SITSD fees, and rent. The legislature increased insurance premiums to provide for increased costs of claims and to establish a reserve for the insurance fund.

DP 526 - 2017 Biennium Legislative Audit (Restricted/Biennial) -

The legislature adjusted legislative audit costs and funding based on the current estimate of the Legislative Auditor.

DP 527 - Inflation/Deflation Adjustment -

The legislature adopted inflation/deflation factors for budgeted expenditures such as food or electricity. The legislature concurred with the executive on the factors with the exception of gasoline, aviation gasoline, diesel fuel, and jet fuel. For these factors the legislature further deflated costs to align the budget with more current information on declining prices of oil and gas projected to continue into the 2017 biennium.

DP 529 - Longevity and Other Adjustments -

The legislature adopted personal service adjustments for unemployment insurance, workers compensation rates, longevity, retirement, and health benefits.

DP 531 - SITSD Rate Adjustment -

The legislature approved an increase for fixed cost rates included in state agency budgets for information technology services provided by the State Information Technology Services Division (SITSD).

DP 532 - General Liability Insurance Rate Adjustment -

The legislature reduced the rate assessed to state agencies for general liability insurance provided by the Risk Management and Tort Defense Division.

DP 550 - Motor Pool Rate Adjustment -

The legislature adopted a reduction to the motor pool rates.

New Proposals

The "New Proposals" table shows the adopted changes from the FY 2015 legislative appropriation. Each is discussed in the narrative that follows.

New Proposals	-----Fiscal 2016-----					-----Fiscal 2017-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 100100 - Legal Counsel (Restricted)	0.00	85,000	0	0	85,000	0.00	85,000	0	0	85,000
Total	0.00	\$85,000	\$0	\$0	\$85,000	0.00	\$85,000	\$0	\$0	\$85,000

*"Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 100100 - Legal Counsel (Restricted) -

The legislature provided \$85,000 of general fund each year of the biennium for operating costs. The funding is restricted to legal services provided by the Department of Justice.