

Agency Budget Comparison

The following table summarizes the total proposed budget for the agency by year, type of expenditure, and source of funding.

Agency Budget Comparison								
Budget Item	Base Fiscal 2008	Approp. Fiscal 2009	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 08-09	Biennium Fiscal 10-11	Biennium Change	Biennium % Change
FTE	5.54	5.54	5.54	5.54	5.54	5.54	0.00	0.00%
Personal Services	364,167	526,208	563,608	567,986	890,375	1,131,594	241,219	27.09%
Operating Expenses	898,741	1,009,078	815,412	825,334	1,907,819	1,640,746	(267,073)	(14.00%)
Total Costs	\$1,262,908	\$1,535,286	\$1,379,020	\$1,393,320	\$2,798,194	\$2,772,340	(\$25,854)	(0.92%)
State Special	1,262,908	1,535,286	1,379,020	1,393,320	2,798,194	2,772,340	(25,854)	(0.92%)
Total Funds	\$1,262,908	\$1,535,286	\$1,379,020	\$1,393,320	\$2,798,194	\$2,772,340	(\$25,854)	(0.92%)

Agency Description

Agency Mission: The Consumer Counsel represents state-wide consumer interests in hearings before the Public Service Commission and like agencies. On behalf of the public of Montana, the counsel may initiate, intervene, and participate in appropriate proceedings before state or federal courts or administrative agencies. The Montana Consumer Counsel is part of the Legislative Branch and is overseen by the Legislative Consumer Committee. The Consumer Counsel is provided for by Article XIII, Section 2 of the Montana Constitution, and is governed by Title 5, Chapter 15, and Title 69, Chapters 1 and 2, MCA.

Agency Highlights

Consumer Counsel HB 2 Budget Highlights
<ul style="list-style-type: none"> ◆ The legislature approved funding of \$96,568 annually to return the caseload contingency fund to \$250,000 annually ◆ The legislature approved a reduction of \$750,000 in contracted services over the biennium

Summary of Legislative Action

Including additional spending authority for the biennium pay plan that is contained in HB 13, the legislatively approved budget for the agency decreased by 0.92 percent in the 2011 biennium from the 2009 biennium. The net decrease is due to a single reduction of \$750,000 over the biennium for contracted services and is almost completely offset with budgetary increases of \$724,146 in the 2011 biennium over the 2009 biennium. Of that amount, the increase in personal services is primarily due to fully funding unfilled or under-filled positions in the base year. Operating expenses increase due primarily to two factors: 1) a request for \$96,568 annually to return the caseload contingency fund to \$250,000 from FY 2008 expenditures of \$153,432; and 2) additional funding for ongoing consulting and professional fees expenses.

Executive Budget Comparison

The following table compares the proposed budget in the 2011 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2008	Executive Budget Fiscal 2010	Legislative Budget Fiscal 2010	Leg – Exec. Difference Fiscal 2010	Executive Budget Fiscal 2011	Legislative Budget Fiscal 2011	Leg – Exec. Difference Fiscal 2011	Biennium Difference Fiscal 10-11
FTE	5.54	5.54	5.54	0.00	5.54	5.54	0.00	
Personal Services	364,167	561,173	563,608	2,435	562,226	567,986	5,760	8,195
Operating Expenses	898,741	1,190,412	815,412	(375,000)	1,200,334	825,334	(375,000)	(750,000)
Total Costs	\$1,262,908	\$1,751,585	\$1,379,020	(\$372,565)	\$1,762,560	\$1,393,320	(\$369,240)	(\$741,805)
State/Other Special	1,262,908	1,751,585	1,379,020	(372,565)	1,762,560	1,393,320	(369,240)	(741,805)
Total Funds	\$1,262,908	\$1,751,585	\$1,379,020	(\$372,565)	\$1,762,560	\$1,393,320	(\$369,240)	(\$741,805)

The legislative budget for this agency differs from the executive proposal by a reduction in contracted services in the amount of \$750,000 over the biennium for consulting and professional services and the increased authority for the pay plan included in HB 13.

Funding

The following table shows agency funding, by source, for the base year and for the 2011 biennium.

Program Funding Table Administration Program							
Program Funding	Base FY 2008	% of Base FY 2008	Budget FY 2010	% of Budget FY 2010	Budget FY 2011	% of Budget FY 2011	
02000 Total State Special Funds	\$ 1,262,908	100.0%	\$ 1,379,020	100.0%	\$ 1,393,320	100.0%	
02801 Dep Rev Consumer Cncl Tax	1,262,908	100.0%	1,379,020	100.0%	1,393,320	100.0%	
Grand Total	1,262,908	100.0%	1,379,020	100.0%	1,393,320	100.0%	

The Consumer Counsel is funded by a constitutionally earmarked tax that is levied on all regulated entities under the jurisdiction of the Public Service Commission. The funding formula is specified in 69-1-223 and 224, MCA. Each year, the Department of Revenue determines the total gross operating revenue generated by all regulated activities within the state for the previous fiscal year. The Department of Revenue then computes the percentage tax necessary to yield an amount equal to the current appropriation, with no excess funds. If collection of excess revenue occurs, the amount charged to the regulated utilities for the following year is reduced.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 10-11	Percent of Budget	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 10-11	Percent of Budget
Base Budget	0	0	0	0.00%	1,262,908	1,262,908	2,525,816	91.11%
Statewide PL Adjustments	0	0	0	0.00%	200,708	201,642	402,350	14.51%
Other PL Adjustments	0	0	0	0.00%	287,804	297,867	585,671	21.13%
New Proposals	0	0	0	0.00%	(372,400)	(369,097)	(741,497)	(26.75%)
Total Budget	\$0	\$0	\$0		\$1,379,020	\$1,393,320	\$2,772,340	

Present Law Adjustments

The “Present Law Adjustments” table shows the primary changes to the adjusted base budget proposed by the legislature. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments										
-----Fiscal 2010-----					-----Fiscal 2011-----					
FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
Personal Services				197,006	0.00					198,059
Inflation/Deflation				135	0.00					143
Fixed Costs				3,567	0.00					3,440
Total Statewide Present Law Adjustments	\$0	\$200,708	\$0	\$200,708	0.00	\$0	\$201,642	\$0	\$201,642	0
DP 1 - Present Law Base Adjustment	0.00	0	287,804	0	287,804	0.00	0	297,867	0	297,867
Total Other Present Law Adjustments	0.00	\$0	\$287,804	\$0	\$287,804	0.00	\$0	\$297,867	\$0	\$297,867
Grand Total All Present Law Adjustments	0.00	\$0	\$488,512	\$0	\$488,512	0.00	\$0	\$499,509	\$0	\$499,509

DP 1 - Present Law Base Adjustment - The legislature has approved an appropriation of \$585,671 in state special revenue including \$193,172 for the caseload contingency and \$392,499 in operating expenses, primarily consulting and professional fees.

New Proposals

New Proposals										
-----Fiscal 2010-----					-----Fiscal 2011-----					
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 2 - Reduction in Contracted Services										
01	0.00	0	(375,000)	0	(375,000)	0.00	0	(375,000)	0	(375,000)
DP 6013 - 2011 Biennium Pay Plan - HB 13										
01	0.00	0	1,908	0	1,908	0.00	0	5,760	0	5,760
DP 6014 - Pay Plan Lump Sum Payment OTO										
01	0.00	0	527	0	527	0.00	0	0	0	0
DP 6101 - Fixed Cost Workers Comp Management Program										
01	0.00	0	165	0	165	0.00	0	143	0	143
Total	0.00	\$0	(\$372,400)	\$0	(\$372,400)	0.00	\$0	(\$369,097)	\$0	(\$369,097)

DP 2 - Reduction in Contracted Services - The legislature approved the reduction of contracted services in the amount of \$750,000 over the biennium.

DP 6013 - 2011 Biennium Pay Plan - HB 13 - The legislature passed a pay plan that provides an additional \$53 per month in health insurance contribution for CY 2010 and an additional \$54 per month for CY 2011. These amounts represent this program's allocation of costs to fund this pay plan. In addition, the legislature provided a one-time-only payment of \$450 for all employees earning less than \$45,000 annually. These costs are included in DP 6014.

DP 6014 - Pay Plan Lump Sum Payment OTO - This DP funds this program's cost of providing a one-time-only payment of \$450 to each full-time employee making less than \$45,000 annually and \$225 for half-time employees making \$21.635 per hour or less.

DP 6101 - Fixed Cost Workers Comp Management Program - Funding was approved as a fixed cost for agencies to pay fees, based on the average number of payroll warrants issued per pay period, to support the worker's compensation management program in the Department of Administration.