

Agency Budget Comparison

The following table summarizes the total legislative 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	6.00	6.00	6.00	6.00	6.00	6.00	0.00	0.00%
Personal Services	218,906	324,185	292,602	294,068	543,091	586,670	43,579	8.02%
Operating Expenses	146,514	124,655	217,113	166,815	271,169	383,928	112,759	41.58%
Total Costs	\$365,420	\$448,840	\$509,715	\$460,883	\$814,260	\$970,598	\$156,338	19.20%
General Fund	365,420	448,840	509,715	460,883	814,260	970,598	156,338	19.20%
Total Funds	\$365,420	\$448,840	\$509,715	\$460,883	\$814,260	\$970,598	\$156,338	19.20%

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	
<ul style="list-style-type: none"> ◆ The budget increased by 19.2 percent in the 2011 biennium from the 2009 biennium due primarily to statewide present law adjustments and increases for legal fees and technology projects ◆ The legislature applied an unspecified 2 percent general fund reduction to the agency amounting to \$17,905 over the biennium ◆ New proposals add a net of \$75,656 and include: <ul style="list-style-type: none"> • IT and investigator travel expenses • Additional legal costs • Building security upgrades • Computer application upgrade and maintenance • Workers compensation management plan • Implementation of HB 13 pay plan 	

Summary of Legislative Action

The legislature approved present law increases related to the addition of an investigator position that was added mid-way through the prior biennium. Several new proposals were approved by the legislature as one-time-only. Outside of pay plan and payroll related items, these included funding for building security improvements, software systems completion, and additional legal cost funding. The pay plan, HB 13, was approved and the fiscal impact is included in HB 2 as well. The legislature also added a 2 percent unspecified reduction in general fund that resulted in a \$17,905 budget reduction for the agency over the biennium.

Agency Discussion

The Commissioner of Political Practices carries out its duties with a staff that includes one appointed official and five staff members. A single investigator position was added in the prior biennium to do preliminary inquiry on complaints received by the office. Personal services and operating expenses are divided in an approximate 60-40 ratio. Contracted legal fees are the predominate operating expenses of the agency.

Other Legislation

HB 3 – The supplemental appropriations bill provided the agency with an additional \$36,000 appropriation for legal expenses and \$225,000 for the settlement of a lawsuit with the Canyon Ferry Road Baptist Church that resulted in the Commissioner of Political Practices (COPP) having to compensate the church for its legal expenses after the church successfully contested the charges brought against it by the COPP.

Executive Budget Comparison

The following table compares the legislative 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	6.00	6.00	6.00	0.00	6.00	6.00	0.00	
Personal Services	218,906	288,132	292,602	4,470	288,260	294,068	5,808	10,278
Operating Expenses	146,514	245,066	217,113	(27,953)	234,767	166,815	(67,952)	(95,905)
Total Costs	\$365,420	\$533,198	\$509,715	(\$23,483)	\$523,027	\$460,883	(\$62,144)	(\$85,627)
General Fund	365,420	533,198	509,715	(23,483)	523,027	460,883	(62,144)	(85,627)
Total Funds	\$365,420	\$533,198	\$509,715	(\$23,483)	\$523,027	\$460,883	(\$62,144)	(\$85,627)

The legislature has approved a one-time-only general fund biennial appropriation of \$40,000 for additional legal costs, which is a \$78,000 reduction from the executive budget request. Additionally, the legislature has made a biennial appropriation of \$40,000 general fund restricted to the completion of the on-line reporting function of the department's web site. These funds were originally requested by the executive as an annual appropriation of \$20,000 for IT application maintenance and enhancement. The legislature also applied an unspecified reduction in general fund to the agency in the amount of \$17,905 over the biennium, an amount that represents a 2 percent reduction in general fund from the executive budget. Finally, the legislature added funds to fund HB 13, the pay plan bill.

Language

The legislature added the following language to HB 2:

“Administration includes unspecified reductions in general fund money of \$8,953 in fiscal year 2010 and \$8,952 in fiscal year 2011. The agency may allocate these reductions in funding among programs when developing 2011 biennium operating plans.”

Funding

The following table shows program funding, by source, for the base year and for the 2011 biennium as adopted by the legislature.

Program Funding Table						
Administration						
Program Funding		Base FY 2008	% of Base FY 2008	Budget FY 2010	% of Budget FY 2010	Budget FY 2011
01000	Total General Fund	\$ 365,420	100.0%	\$ 509,715	100.0%	\$ 460,883
	01100 General Fund	365,420	100.0%	509,715	100.0%	460,883
Grand	Total	\$ 365,420	100.0%	\$ 509,715	100.0%	\$ 460,883

This program is entirely funded with general fund. A small amount of revenue is generated from nominal fees charged for printing and distribution, as well as civil fines for violation of campaign laws. Both are deposited into the general fund. In addition, COPP collects a \$150 lobbyist filing fee, \$50 of which is deposited into the general fund and \$100 in a state special revenue account that is appropriated to the Legislative Services Division to fund the state broadcasting system. The lobbyist license expires at the end of each even-numbered year, just before the start of the legislative session. Thus, the majority of the revenues are collected in odd numbered years.

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	365,420	365,420	730,840	75.30%	365,420	365,420	730,840	75.30%
Statewide PL Adjustments	80,947	73,796	154,743	15.94%	80,947	73,796	154,743	15.94%
Other PL Adjustments	4,680	4,680	9,360	0.96%	4,680	4,680	9,360	0.96%
New Proposals	58,668	16,987	75,655	7.79%	58,668	16,987	75,655	7.79%
Total Budget	\$509,715	\$460,883	\$970,598		\$509,715	\$460,883	\$970,598	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget made 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	Total Funds
Personal Services					69,226	0.00			69,354
Inflation/Deflation					532	0.00			748
Fixed Costs					11,189	0.00			3,694
Total Statewide Present Law Adjustments		\$80,947	\$0	\$0	\$80,947	0.00	\$73,796	\$0	\$73,796
DP 1 - Increases in Web/IT, Telephone, and Travel	0.00	4,680	0	0	4,680	0.00	4,680	0	4,680
Total Other Present Law Adjustments	0.00	\$4,680	\$0	\$0	\$4,680	0.00	\$4,680	\$0	\$4,680
Grand Total All Present Law Adjustments	0.00	\$85,627	\$0	\$0	\$85,627	0.00	\$78,476	\$0	\$78,476

DP 1 - Increases in Web/IT, Telephone, and Travel - The legislature has approved appropriation of \$4,680 general fund each year of the biennium to cover increased costs in web administrator software, FileNet storage, telephone, and travel funding for the investigator.

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 - Additional Legal Costs Funding - OTO / BIEN										
01	0.00	40,000	0	0	40,000	0.00	0	0	0	0
DP 4 - Building Security Update- OTO										
01	0.00	3,000	0	0	3,000	0.00	0	0	0	0
DP 5 - IT Application Completion, OTO/RST/BIEN										
01	0.00	20,000	0	0	20,000	0.00	20,000	0	0	20,000
DP 6 - Fixed Cost Workers Comp Management Pgm Allocation										
01	0.00	151	0	0	151	0.00	131	0	0	131
DP 6013 - 2011 Biennium Pay Plan - HB 13										
01	0.00	1,920	0	0	1,920	0.00	5,808	0	0	5,808
DP 6014 - Pay Plan Lump Sum Payment - OTO										
01	0.00	2,550	0	0	2,550	0.00	0	0	0	0
DP 6105 - 2 Percent Unspecified Reduction of General Fund										
01	0.00	(8,953)	0	0	(8,953)	0.00	(8,952)	0	0	(8,952)
Total	0.00	\$58,668	\$0	\$0	\$58,668	0.00	\$16,987	\$0	\$0	\$16,987

DP 2 - Additional Legal Costs Funding - OTO / BIEN - The legislature has approved a one-time-only (OTO) biennial appropriation of \$40,000 general fund for additional legal costs and to decrease the backlog of unresolved complaints.

DP 4 - Building Security Update- OTO - The legislature has approved a one-time-only appropriation of \$3,000 general fund in FY 2010 to improve security by adding an alarm system and document shredding equipment at the Commissioner of Political Practices office.

DP 5 - IT Application Completion, OTO/RST/BIEN - The legislature has approved a restricted, biennial appropriation of \$40,000 for the completion of the on-line candidate registration component of the COPP web site before the 2010 election.

DP 6 - Fixed Cost Workers Comp Management Pgm Allocation - 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.

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 6105 - 2 Percent Unspecified Reduction of General Fund - This item provides an unspecified reduction in general fund of 2 percent for the agency. Language included in the bill allows the agency to allocate the reduction in funding among programs when developing 2011 biennium operating plans.