

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 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	5.54	5.54	5.54	5.54	5.54	5.54	0.00	0.00%
Personal Services	453,709	567,986	572,931	574,618	1,021,695	1,147,549	125,854	12.32%
Operating Expenses	485,539	825,334	1,064,288	1,066,255	1,310,873	2,130,543	819,670	62.53%
Total Costs	\$939,248	\$1,393,320	\$1,637,219	\$1,640,873	\$2,332,568	\$3,278,092	\$945,524	40.54%
State Special	939,248	1,393,320	1,637,219	1,640,873	2,332,568	3,278,092	945,524	40.54%
Total Funds	\$939,248	\$1,393,320	\$1,637,219	\$1,640,873	\$2,332,568	\$3,278,092	\$945,524	40.54%

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

Montana Consumer Counsel Major Budget Highlights
<ul style="list-style-type: none"> ◆ There is no general fund utilized by this agency ◆ The funding increase between the 2013 and 2011 biennia is the result of two major factors: <ul style="list-style-type: none"> • The majority of the statewide present law increase is due to under-filled positions during the base year • The 62.5% increase in operating expense is for consulting and professional fees due to unusually light legal costs during the base year, and establishment of a caseload contingency fund

Summary of Legislative Action

The legislature provided funding for the 2013 biennium that is \$945,524 greater than 2011 biennium funding. Personal services increases from the prior biennium are due to statewide present law adjustments including fully funding positions that were under-filled in the base year. The agency had one full-time and one part-time position filled for approximately half of the base year.

The increase in operating expenses is due to the addition of about \$560,000 annually in additional authority for consulting and professional services expense. Included is almost \$250,000 annually for caseload contingency. There were no expenditures recorded on the state accounting system for caseload contingency in the FY 2010 base year.

Executive Budget Comparison

The following table compares the legislative budget in the 2013 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2010	Executive Budget Fiscal 2012	Legislative Budget Fiscal 2012	Leg - Exec. Difference Fiscal 2012	Executive Budget Fiscal 2013	Legislative Budget Fiscal 2013	Leg - Exec. Difference Fiscal 2013	Biennium Difference Fiscal 12-13
FTE	5.54	5.54	5.54	0.00	5.54	5.54	0.00	
Personal Services	453,709	572,931	572,931	0	574,618	574,618	0	0
Operating Expenses	485,539	1,064,288	1,064,288	0	1,066,255	1,066,255	0	0
Total Costs	\$939,248	\$1,637,219	\$1,637,219	\$0	\$1,640,873	\$1,640,873	\$0	\$0
State/Other Special	939,248	1,637,219	1,637,219	0	1,640,873	1,640,873	0	0
Total Funds	\$939,248	\$1,637,219	\$1,637,219	\$0	\$1,640,873	\$1,640,873	\$0	\$0

The budget was approved as originally requested by the agency and included in the executive budget, although a portion was separated out and made one-time-only to establish a caseload contingency fund.

Funding

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table						
Administration Program						
Program Funding	Base FY 2010	% of Base FY 2010	Budget FY 2012	% of Budget FY 2012	Budget FY 2013	% of Budget FY 2013
02000 Total State Special Funds	\$ 939,248	100.0%	\$ 1,637,219	100.0%	\$ 1,640,873	100.0%
02801 Dep Rev Consumer Cncl Tax	939,248	100.0%	1,637,219	100.0%	1,640,873	100.0%
Grand Total	939,248	100.0%	1,637,219	100.0%	1,640,873	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 61-1-223 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 Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	0	0	0	0.00%	939,248	939,248	1,878,496	57.30%
Statewide PL Adjustments	0	0	0	0.00%	140,425	142,593	283,018	8.63%
Other PL Adjustments	0	0	0	0.00%	557,546	559,032	1,116,578	34.06%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
Total Budget	\$0	\$0	\$0		\$1,637,219	\$1,640,873	\$3,278,092	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the adjusted base budget adopted 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 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					119,222					120,909
Inflation/Deflation					(10)					(9)
Fixed Costs					21,213					21,693
Total Statewide Present Law Adjustments		\$0	\$140,425	\$0	\$140,425		\$0	\$142,593	\$0	\$142,593
DP 1 - Present Law Base Adjustments	0.00	0	557,546	0	557,546	0.00	0	559,032	0	559,032
Total Other Present Law Adjustments	0.00	\$0	\$557,546	\$0	\$557,546	0.00	\$0	\$559,032	\$0	\$559,032
Grand Total All Present Law Adjustments	0.00	\$0	\$697,971	\$0	\$697,971	0.00	\$0	\$701,625	\$0	\$701,625

DP 1 - Present Law Base Adjustments - The legislature approved an amount equal to the initial agency request, but split it into two separate amounts to recognize that two separate actions were being taken: 1) adjust the base budget for both FY 2012 and FY 2013 to be equal to the FY 2011 appropriation of \$1,393,320 and 2) set aside an amount for "caseload contingency." The caseload contingency for FY 2012 was approved at \$243,899 and for FY 2013 at \$247,553 as a one-time-only appropriation. HB 2 shows a separate line item for the caseload contingency, as it is approved one-time-only.