

The Legislative Fiscal Division

Presents:

Profile of...

Commissioner of Political Practices

State of Montana



Agency Profile

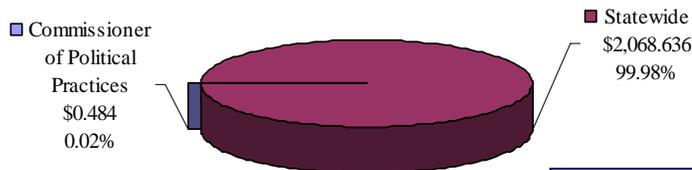
This agency profile will discuss...

- structure and funding
- primary functions and
- historical expenditures

The profile also includes information on how decisionmakers can effect change in the agency's expenditures along with a listing of pertinent statistics. For an explanation of terms used in this profile, consult the "Background on the Agency Profiles" at: <http://leg.mt.gov/css/fiscal/default.asp>

Oct. 2008

General Fund Statewide Comparison FY 2008 (In Millions)



Let's begin by putting the agency's size in perspective by comparing it to state government as a whole.

Total Funds Statewide Comparison FY 2008 (In Millions)



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Section A
General Government



What the Agency Does

The commissioner monitors and enforces, 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. The commissioner investigates legitimate complaints that arise concerning any of the foregoing. The commissioner also enforces the Montana Code of Ethics for legislators public officers, and state employees, acting in a quasi-judicial role in contested case hearings.

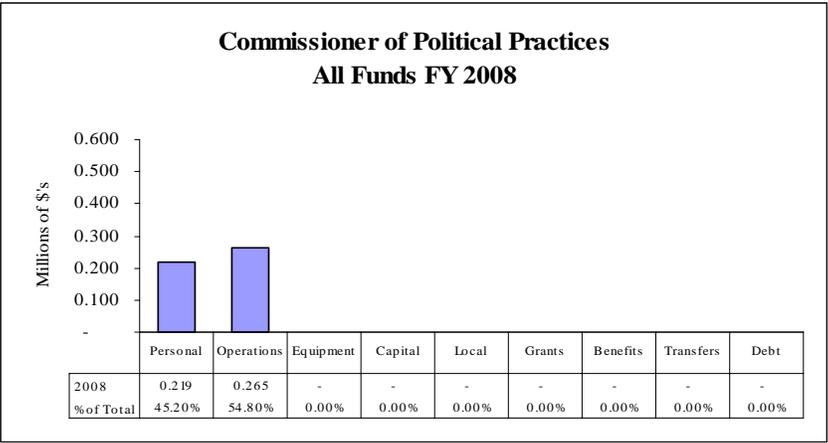


How Services Are Provided

The Commissioner of Political Practices provides services through a structure consisting of one division with a commissioner and 4.00 FTE that:

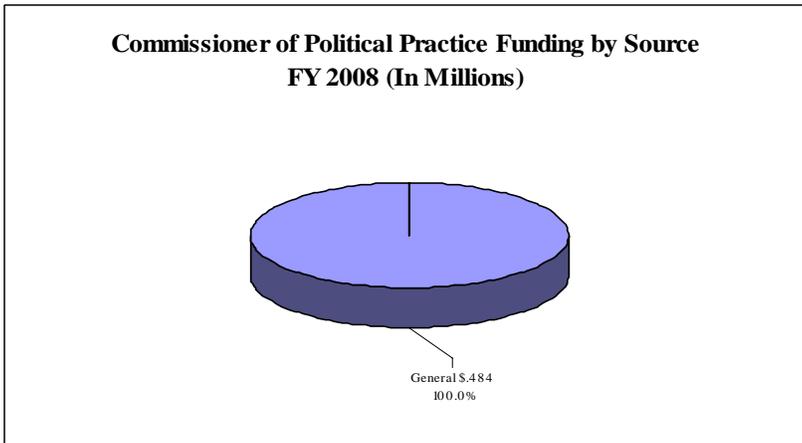
- Facilitate disclosure of candidate and political committee contributions and expenditures
- Facilitate registration of lobbyists and monitoring expenditures by principals (those who hire lobbyists)
- Monitor candidates, political committees, and lobbyists for compliance with Montana campaign finance and practice laws
- Monitor and enforce Montana's code of ethics for public officers, public employees, and legislators
- Investigate complaints of alleged violations of campaign finance and practices laws, lobbying laws, and ethics laws

The number of people paid to undertake the mandated duties drives the COPP budget.



How Services Are Funded

This agency is funded 100 percent by the general fund. The agency does receive fees for printing and distribution, filing fees from lobbyists, and levies civil penalties for violation of campaign laws. These fees are generally minimal and are deposited in the general fund.





Related Data & Statistics

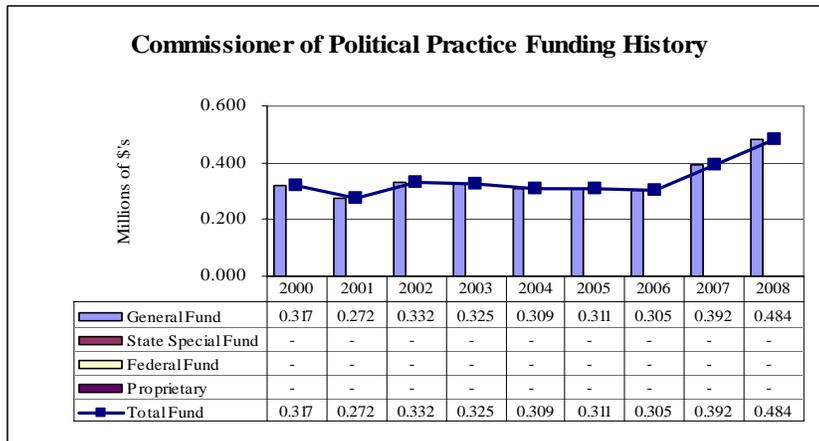
The following lists several pertinent statistics related to agency functions and/or customers.

<i>Element</i>	<i>1996</i>	<i>2008</i>	<i>Significance of Data</i>
Number of lobbyists	650	537	Decrease in workload
Number of principals	455	476	Increase in workload
Political practice complaints	0	15	Increase in cost and workloads



Expenditure History

The graph below illustrates the expenditure history from 1996 through 2008.





Reasons for Expenditure Growth/Change

This agency has seen the rate of expenditure increase between 2001 and 2002 at 22.1 percent, mostly due to an increase in communication costs incurred to move the campaign and finance filing process from one done by paper and mailing to one done by computer. Between 2007 and 2008 expenditures increased due to the addition of internet based functions for candidate filing and lobbyist/principal registrations.

Reductions in supplies resulted in the years that follow the automation. The agency has also experienced reductions in expenditures of 4.8 percent and 14.2 percent between 1999 and 2001 mostly due to decreases in legal and administrative FTE, which were replaced by contracted services from the Department of Justice that are used on an as needed basis.



Agency Functions, State Purposes, & Customers Served

The agency is structured to perform certain functions in support of general state government purposes.

The following lists the major functions, purpose of provision of the functions, and primary customers served.

State Purposes	Major Agency Functions	Customers
<i>Consumer/Citizen Protection</i>	Monitor and enforce campaign practices and the code of ethics	Candidates for public office, state employees, and general public

How the Legislature Can Effect Change



The Commissioner of Political Practices addresses its mandated duties with one appointed official and four staff members. Activity for this agency varies depending upon elections, the number of candidates filing for office, and the level of on-going activity related to campaign and ethic issues.

In order to change expenditure levels and/or activity, the legislature might address:

- The laws governing elections, lobbyists, and candidates such as the filing and reporting process, and fees charged
- The code of ethics for public officers, public employees, and legislators

The legislature is less likely to control:

- The number of formal complaints and related complaint dockets
- Federal legislation impacting COPP
- Initiatives or legislation responding to citizen action





Statewide Factors With Impact

In addition to the factors above, a number of factors common to many agencies will also impact changes in expenditures over time.

The Commissioner of Political Practice equals people providing service; personal service costs and legal costs are the primary influence that drives expenditures. These factors include the state pay plan and benefits, workers' compensation, and unemployment insurance.

Other factors driving expenses include utilities and changes in statewide fixed costs such as inflation/deflation and the cost to maintain buildings and technology.



Statutory References

The primary statutory references defining duties and responsibilities of the department are found at the following locations.

COPP is authorized and guided by Title 2, Chapter 2, and Title 13, Chapters 35 and 37, MCA.

Statutes governing licenses and fees for lobbyists are found in 5-7-103, MCA and statutes governing the state special revenue for the state government broadcasting account are found in 5-11-1112, MCA.





Alternative accessible formats of this document will be provided upon request. For further information, call the Legislative Fiscal Division @ 444-2986 or visit our web site @ <http://www.leg.mt.gov/css/fiscal>

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