

State of Alaska FY2012 Governor's Operating Budget

Department of Law Legislation/Regulations Component Budget Summary

Component: Legislation/Regulations**Contribution to Department's Mission**

The Legislation and Regulations Section provides legal advice and assures compliance with legal standards regarding legislation and regulations that implement executive branch policy directives.

Core Services

- The Legislation and Regulations Section drafts and edits legislation on behalf of the governor for introduction in the legislature, tracks and reviews all legislation for legal issues before the governor acts on it, and reviews virtually all regulations adopted by the executive branch for compliance with legal requirements. The section assists the governor's office in seeking passage of legislation introduced at the request of the governor.
- The section coordinates responses to legal questions and requests for information from legislators to the Department of Law. The section provides training on regulations and legislative matters to all state agencies and to assistant attorneys general. The section prepares the Drafting Manual for Administrative Regulations. The section frequently provides advice to state agencies regarding legal requirements for legislation, regulations, public records, and the Open Meetings Act.
- The regulations attorney serves as the executive branch representative to the National Conference of Commissioners on Uniform State Laws, which formulates model legislation on issues of nationwide concern.

Key Component Challenges

The Legislation and Regulations Section will be facing an increased demand for its services with the implementation of most major program and policy changes; including cost containment and increasing efficiency and effectiveness in the provision of state services that requires timely changes to statutes, regulations, or a combination of both. To defend any legal challenges successfully and to implement those program and policy changes in a timely manner, precise and clear regulations and statutes are essential. This section plays a crucial role in ensuring that regulations and proposed legislation meet those strict legal standards. The section sees a significant increase in regulations projects and proposed legislation and an increased burden to meet the requests of state agencies with timeliness and accuracy.

A major segment of regulations to be reviewed will be to implement important policy directives to encourage development of the state's natural resources and other economic development initiatives and to control costs attributable to the Department of Health and Social Services' programs. Businesses require a stable and predictable regulatory environment for planning investments and operational purposes. The section provides training regarding regulations and the editing of regulations to state agencies to further this goal. The section's resources are finite and its capacity to meet the increased demands of state agencies for these services will require careful management.

Significant Changes in Results to be Delivered in FY2012

The section anticipates a substantial number of regulations consultations to address new statutes concerning oil and gas taxation, the gas line, protection of personal information and data in state records, and other priority matters.

Major Component Accomplishments in 2010

The section conducted legal review of over 2,004 pages of regulations during FY 2010.

During FY 2010, the section conducted regulation training classes in Juneau and Anchorage. Over 150 state employees attended. The classes were the largest in state history. In December 2009, the section conducted legislative training classes in Juneau and Anchorage on legislative procedures.

In FY 2010, the section prepared and distributed to department of law office assistants and attorneys Legislation

Drafting Guides containing typing, formatting, style, and drafting technique information for preparation of legislation projects. The section also conducted classes for the Department of Law office assistants in typing and other procedures for the governor's consideration.

In July and August 2010, the section conducted training on legislative process for over 30 assistant attorneys general, paralegals, and interns.

The section coordinated and assisted with 48 legislation projects for the 2010 regular session. Below is a list of just some of the important work the department participated in through its oversight of the regulatory process:

- **Medicaid:** An omnibus Department of Health and Social Services project, over 720 pages long, rewrote and reorganized the state Medicaid regulations to bring old provisions up to date, make the regulations easier to use, and facilitate the incorporation of future changes.
- **Energy, taxation:** A large Department of Revenue project updated production tax regulations relating to gas--part of the coordinated agency effort to make regulations work smoothly with the Alaska Gasline Inducement Act (AGIA) and the Alaska Clear and Equitable Share (ACES) legislation.
- **Energy, taxation, royalties, resource development:** A joint project of the Department of Natural Resources and the Department of Revenue, regulations were adopted to implement two key incentives provided under the Alaska Gasline Inducement Act (AGIA): the gas royalty inducement, and production tax exemptions and vouchers.
- **Energy, taxation:** Another large Department of Revenue project updated oil and gas production tax regulations to carry out provisions of the Alaska Clear and Equitable Share (ACES) legislation with respect to allowable deductions for lease expenditures.
- **Banking, loans, housing:** The Department of Commerce, Community, and Economic Development developed, within a very compressed timeframe, regulations authorized by interim state legislation, to enable participation in the National Mortgage Licensing System registry and curb abusive mortgage lending practices.

In the spring of 2010, the section coordinated preparation of and performed final editing of approximately 117 bill reviews for the governor.

Statutory and Regulatory Authority

AS 44.23.020

AS 44.23.040

AS 44.62.060

AS 44.62.125

Contact Information

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Legislation/Regulations Component Financial Summary

All dollars shown in thousands

	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	659.0	762.2	808.4
72000 Travel	9.4	3.3	3.3
73000 Services	75.9	70.6	70.6
74000 Commodities	13.2	15.8	15.8
75000 Capital Outlay	8.4	6.5	6.5
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	765.9	858.4	904.6
Funding Sources:			
1004 General Fund Receipts	571.8	660.7	689.6
1007 Inter-Agency Receipts	194.1	197.7	215.0
Funding Totals	765.9	858.4	904.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Interagency Receipts	51015	194.1	197.7	215.0
Restricted Total		194.1	197.7	215.0
Total Estimated Revenues		194.1	197.7	215.0

**Summary of Component Budget Changes
From FY2011 Management Plan to FY2012 Governor**

All dollars shown in thousands

	<u>Unrestricted Gen (UGF)</u>	<u>Designated Gen (DGF)</u>	<u>Other Funds</u>	<u>Federal Funds</u>	<u>Total Funds</u>
FY2011 Management Plan	660.7	0.0	197.7	0.0	858.4
Adjustments which will continue current level of service:					
-FY2011 Sal Inc Noncovered 2% Fund Source Change Request	2.7	0.0	-2.7	0.0	0.0
-Transfer Funds from Transportation Section for Personal Services Vacancy Factor Adjustments	0.0	0.0	20.0	0.0	20.0
-FY 2012 Personal Services increases	21.6	0.0	4.6	0.0	26.2
-Correct Unrealizable Fund Sources for Personal Services Increases	4.6	0.0	-4.6	0.0	0.0
FY2012 Governor	689.6	0.0	215.0	0.0	904.6

**Legislation/Regulations
Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2011 Management Plan	FY2012 Governor		
Full-time	6	6	Annual Salaries	540,526
Part-time	0	0	COLA	12,968
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	271,916
			<i>Less 2.06% Vacancy Factor</i>	(17,010)
			Lump Sum Premium Pay	0
Totals	6	6	Total Personal Services	808,400

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney II	0	0	2	0	2
Attorney IV	0	0	2	0	2
Attorney VI	0	0	1	0	1
Law Office Assistant I	0	0	1	0	1
Totals	0	0	6	0	6

Component Detail All Funds
Department of Law

Component: Legislation/Regulations (2209)
RDU: Civil Division (35)

	FY2010 Actuals	FY2011 Conference Committee (Final)	FY2011 Authorized	FY2011 Management Plan	FY2012 Governor	FY2011 Management Plan vs FY2012 Governor	
71000 Personal Services	659.0	759.8	772.2	762.2	808.4	46.2	6.1%
72000 Travel	9.4	3.3	3.3	3.3	3.3	0.0	0.0%
73000 Services	75.9	70.6	70.6	70.6	70.6	0.0	0.0%
74000 Commodities	13.2	15.8	15.8	15.8	15.8	0.0	0.0%
75000 Capital Outlay	8.4	6.5	6.5	6.5	6.5	0.0	0.0%
77000 Grants, Benefits	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
78000 Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Totals	765.9	856.0	868.4	858.4	904.6	46.2	5.4%
Fund Sources:							
1004 Gen Fund	571.8	661.0	670.7	660.7	689.6	28.9	4.4%
1007 I/A Rcpts	194.1	195.0	197.7	197.7	215.0	17.3	8.8%
Unrestricted General (UGF)	571.8	661.0	670.7	660.7	689.6	28.9	4.4%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other Funds	194.1	195.0	197.7	197.7	215.0	17.3	8.8%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Positions:							
Permanent Full Time	6	6	6	6	6	0	0.0%
Permanent Part Time	0	0	0	0	0	0	0.0%
Non Permanent	0	0	0	0	0	0	0.0%

Change Record Detail - Multiple Scenarios With Descriptions
Department of Law

Component: Legislation/Regulations (2209)

RDU: Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions PFT	PPT	NP
***** Changes From FY2011 Conference Committee (Final) To FY2011 Authorized *****												
FY2011 Conference Committee												
	ConfCom	856.0	759.8	3.3	70.6	15.8	6.5	0.0	0.0	6	0	0
1004 Gen Fund		661.0										
1007 I/A Rcpts		195.0										
ADN 0310029 FY 2011 Non-covered Salary Increase Year 1 SLA 10 Chapter 56 (HB 421) (Sec2 SLA10 CH41 P50 L24 (HB 300))												
	FisNot	12.4	12.4	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		9.7										
1007 I/A Rcpts		2.7										
: \$12.4												
Subtotal		868.4	772.2	3.3	70.6	15.8	6.5	0.0	0.0	6	0	0
***** Changes From FY2011 Authorized To FY2011 Management Plan *****												
ADN 03-1-0046 Transfer funds to Labor and State Affairs for Personal Services Vacancy Factor Adjustments												
	Trout	-10.0	-10.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		-10.0										
Transfer funds from Legislation/Regulations to Labor and State Affairs for Personal Services Vacancy Factor Adjustments.												
Subtotal		858.4	762.2	3.3	70.6	15.8	6.5	0.0	0.0	6	0	0
***** Changes From FY2011 Management Plan To FY2012 Governor *****												
FY2011 Sal Inc Noncovered 2% Fund Source Change Request												
	FndChg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		2.7										
1007 I/A Rcpts		-2.7										
Fund Source Change request inadvertently omitted in Fiscal Note: SLA 10 CH56 (HB 421) FY2011 Non-covered Salary Increase Year 1.												
Transfer Funds from Transportation Section for Personal Services Vacancy Factor Adjustments												
	Trin	20.0	20.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1007 I/A Rcpts		20.0										
Transfer funds from Transportation Section to Legislation/Regulations for personal services vacancy factor adjustments.												
FY 2012 Personal Services increases												

Change Record Detail - Multiple Scenarios With Descriptions
Department of Law

Component: Legislation/Regulations (2209)

RDU: Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
	SalAdj	26.2	26.2	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		21.6										
1007 I/A Rcpts		4.6										
This change record includes the following personal services increases:												
: \$26.2												
Alaska State Employees Assn (GGU) FY2012 Health Insurance Increased Costs : \$2.0												
Non-Covered Employees FY2012 Health Insurance Increased Costs : \$9.4												
Alaska State Employees Association (GGU) FY 12 COLA increases												
: \$1.1												
Non-Covered Employees FY 12 COLA increases												
: \$12.6												
Alaska State Employees Association - ASEA Geographic Differential for GGU												
: \$1.1												
Correct Unrealizable Fund Sources for Personal Services Increases												
	FndChg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		4.6										
1007 I/A Rcpts		-4.6										
To fund baseline increases as a result of personal services and benefits that are associated with nonrealizable fund sources. It is the intent of the department to distribute these increases to the agencies the department anticipates collecting them from through a federally approves cost allocation plan.												
Totals		904.6	808.4	3.3	70.6	15.8	6.5	0.0	0.0	6	0	0

Personal Services Expenditure Detail **Department of Law**

Scenario: FY2012 Governor (8665)
Component: Legislation/Regulations (2209)
RDU: Civil Division (35)

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range / Step	Comp Months	Split / Count	Annual Salaries	COLA	Premium Pay	Annual Benefits	Total Costs	GF Amount	
03-0056	Attorney VI	FT	A	XE	Juneau	AA	26N	12.0		130,992	3,346	0	57,832	192,170	192,170	
03-0146	Assoc Attorney II	FT	A	XE	Juneau	AA	19F / J	12.0		70,908	1,898	0	38,988	111,794	111,794	
03-0290	Assoc Attorney II	FT	A	XE	Juneau	AA	19M	12.0		81,144	2,172	0	42,451	125,767	125,767	
03-0296	Law Office Assistant I	FT	A	GP	Juneau	202	11K / L	12.0		45,122	0	0	30,885	76,007	76,007	
03-0302	Attorney IV	FT	A	XE	Juneau	AA	24J / K	12.0		104,227	2,790	0	50,260	157,277	157,277	
03-0345	Attorney IV	FT	A	XE	Juneau	AA	24K / L	12.0		108,133	2,762	0	51,500	162,395	0	
														Total Salary Costs:		540,526
														Total COLA:		12,968
														Total Premium Pay::		0
														Total Benefits:		271,916
														Total Pre-Vacancy:		825,410
														Minus Vacancy Adjustment of 2.06%:		(17,010)
														Total Post-Vacancy:		808,400
														Plus Lump Sum Premium Pay:		0
														Personal Services Line 100:		808,400
Total Component Months:		72.0														

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	663,015	649,352	80.33%
1007 Inter-Agency Receipts	162,395	159,048	19.67%
Total PCN Funding:	825,410	808,400	100.00%

Note: If a position is split, an asterisk (*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (**) will appear in this column.
[No valid job title] appearing in the Job Class Title indicates that the PCN has an invalid class code or invalid range for the class code effective date of this scenario.

Line Item Detail
Department of Law
Travel

Component: Legislation/Regulations (2209)
RDU: Civil Division (35)

Line Number	Line Name		FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
72000	Travel		9.4	3.3	3.3
Expenditure Account	Servicing Agency	Explanation	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
72000 Travel Detail Totals			9.4	3.3	3.3
72110	Employee Travel (Instate)	Attorney travel to provide training on regulations matters to state agencies and legal staff.	9.4	3.3	3.3

Line Item Detail
Department of Law
Services

Component: Legislation/Regulations (2209)
RDU: Civil Division (35)

Line Number	Line Name			FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
73000	Services			75.9	70.6	70.6
Expenditure Account	Expenditure Account	Servicing Agency	Explanation	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
73000 Services Detail Totals				75.9	70.6	70.6
73025	Education Services		Conferences, training, memberships	3.3	3.3	3.3
73050	Financial Services	Administrative Services	RSA Law, Timekeeping Administration	2.1	2.1	2.1
73225	Delivery Services		Freight and messenger services. Movement of materials, exhibits, legal documents and courier services.	4.2	4.2	4.2
73650	Struc/Infstruct/Land		Rentals/Leases - records and evidence storage.	1.0	1.0	1.0
73675	Equipment/Machinery		Rentals/Leases and Repairs/Maintenance of office equipment - copiers & postage meters.	2.8	2.0	2.0
73750	Other Services (Non IA Svcs)		Printing forms, briefs and legal notices.	1.6	1.0	1.0
73805	IT-Non-Telecommnctns	Law - Administration and Support	RSA Law, Administration and Information Services & Procurement support.	8.8	8.8	8.8
73805	IT-Non-Telecommnctns	Admin - Enterprise Technology Services	RSA Administration, ETS - Computer Services EPR	3.1	3.1	3.1
73806	IT-Telecommunication	Admin - Enterprise Technology Services	RSA Administration, ETS -Telecommunication EPR.	6.7	6.7	6.7
73809	Mail	Admin - Central Mail	RSA Administration, Central Mailroom	0.3	0.3	0.3
73811	Building Leases	Admin - Leases	RSA Administration, GS&S - Leased Office Space - AG's Offices.	41.6	37.7	37.7
73814	Insurance	Admin - Risk Management	RSA Administration, Risk Management	0.1	0.1	0.1
73815	Financial	Admin - Finance	RSA Administration, Finance Chargeback (AKSAS / AKPAY)	0.2	0.2	0.2

Line Item Detail
Department of Law
Services

Component: Legislation/Regulations (2209)

RDU: Civil Division (35)

Expenditure Account		Servicing Agency	Explanation	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
73000 Services Detail Totals				75.9	70.6	70.6
73816	ADA Compliance	Labor - Americans With Disabilities	RSA Labor, Americans With Disabilities Act.	0.1	0.1	0.1

Line Item Detail
Department of Law
Commodities

Component: Legislation/Regulations (2209)
RDU: Civil Division (35)

Line Number	Line Name			FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
74000	Commodities			13.2	15.8	15.8
Expenditure Account	Servicing Agency	Explanation		FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
74000 Commodities Detail Totals				13.2	15.8	15.8
74200	Business	E&ED	Library materials including Alaska Statutes, Alaska Code, Advanced Legislative Service and Court Rules; subscriptions, office supplies; software applications, printer cartridges, paper and misc. data processing supplies; computer supplies - desktop refresh, non-capital.	13.2	15.8	15.8

Line Item Detail
Department of Law
Capital Outlay

Component: Legislation/Regulations (2209)
RDU: Civil Division (35)

Line Number	Line Name		FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
75000	Capital Outlay		8.4	6.5	6.5
Expenditure Account	Servicing Agency	Explanation	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
75000 Capital Outlay Detail Totals			8.4	6.5	6.5
75830	Info Technology	Computer equipment, printers and modems.	8.4	6.5	6.5

Restricted Revenue Detail
Department of Law

Component: Legislation/Regulations (2209)
RDU: Civil Division (35)

Master Account	Revenue Description	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
51015	Interagency Receipts	194.1	197.7	215.0

Detail Information

Revenue Amount	Revenue Description	Component	Collocation Code	AKSAS Fund	FY2010 Actuals	FY2011 Management Plan	FY2012 Governor
51015	Interagency Receipts Unprogrammed I/A Receipt Authority			11100	0.0	0.0	0.0
51015	Interagency Receipts The combination of agreements provides legal services for regulation review to most state agencies. Individual agency amounts vary from year to year depending on the volume of regulations projects.		03207751	11100	194.1	197.7	215.0

Inter-Agency Services
Department of Law

Component: Legislation/Regulations (2209)
RDU: Civil Division (35)

Expenditure Account	Service Description	Service Type	Servicing Agency	FY2010 Actuals	FY2011	FY2012 Governor
					Management Plan	
73050	Financial Services	RSA Law, Timekeeping Administration	Intra-dept	Administrative Services	2.1	2.1
73050 Financial Services subtotal:				2.1	2.1	2.1
73805	IT-Non-Telecommnctns	RSA Law, Administration and Information Services & Procurement support.	Intra-dept	Law - Administration and Support	8.8	8.8
73805	IT-Non-Telecommnctns	RSA Administration, ETS - Computer Services EPR	Inter-dept	Admin - Enterprise Technology Services	3.1	3.1
73805 IT-Non-Telecommnctns subtotal:				11.9	11.9	11.9
73806	IT-Telecommunication	RSA Administration, ETS -Telecommunication EPR.	Inter-dept	Admin - Enterprise Technology Services	6.7	6.7
73806 IT-Telecommunication subtotal:				6.7	6.7	6.7
73809	Mail	RSA Administration, Central Mailroom	Inter-dept	Admin - Central Mail	0.3	0.3
73809 Mail subtotal:				0.3	0.3	0.3
73811	Building Leases	RSA Administration, GS&S - Leased Office Space - AG's Offices.	Inter-dept	Admin - Leases	41.6	37.7
73811 Building Leases subtotal:				41.6	37.7	37.7
73814	Insurance	RSA Administration, Risk Management	Inter-dept	Admin - Risk Management	0.1	0.1
73814 Insurance subtotal:				0.1	0.1	0.1
73815	Financial	RSA Administration, Finance Chargeback (AKSAS / AKPAY)	Inter-dept	Admin - Finance	0.2	0.2
73815 Financial subtotal:				0.2	0.2	0.2
73816	ADA Compliance	RSA Labor, Americans With Disabilities Act.	Inter-dept	Labor - Americans With Disabilities	0.1	0.1
73816 ADA Compliance subtotal:				0.1	0.1	0.1
74200	Business	Library materials including Alaska Statutes, Alaska Code, Advanced Legislative Service and Court Rules; subscriptions, office supplies; software applications, printer cartridges, paper and misc. data processing supplies; computer supplies - desktop refresh, non-capital.	Inter-dept	E&ED	13.2	15.8
74200 Business subtotal:				13.2	15.8	15.8
Legislation/Regulations total:				76.2	74.9	74.9
Grand Total:				76.2	74.9	74.9