

State of Alaska FY2011 Governor's Operating Budget

Department of Law Transportation Section Component Budget Summary

Component: Transportation Section

Contribution to Department's Mission

The Transportation Section provides advice and legal representation to state agencies on all aspects of the construction and operation of the state's public facilities, including highways, airports, ferries, buildings, harbors, and other public works. The Department of Transportation and Public Facilities (DOT&PF) generates a high percentage of the section's work.

Core Services

- Assist agencies with project development, including compliance with project planning and environmental laws.
- Assist agencies with project execution, including land acquisition, procurement of contractors, and resolution of claims by contractors.
- Assist agencies with management and operation of completed facilities.
- Provide advice and representation on myriad of issues daily confronting agencies related to development and operation of public infrastructure.

Key Component Challenges

The section will continue assisting with implementation of the State's transportation and infrastructure programs. The section will continue helping State agencies with project development, including the resolution of environmental issues, land ownership and acquisition issues, contract specification and procurement issues, and any necessary changes to laws or regulations. The section will continue to advise and represent State agencies concerning eminent domain, bid protests, and construction claims. The section will help agencies manage and operate completed facilities, including ferry, international and rural airport, and highway facilities. In the coming year, the section may assist with activities related to infrastructure to support a possible gas line.

Significant Changes in Results to be Delivered in FY2011

No changes in results delivered.

Major Component Accomplishments in 2009

The Transportation Section assisted with:

- Developing infrastructure projects such as prison construction and expansion projects in the Mat-Su Borough and Seward, Anchorage and Fairbanks International Airports concourse and airfield renovations, a Knik Arm Crossing, Juneau Access, parking garages in downtown Anchorage and Juneau, an Anchorage fish hatchery, and the Department of Public Safety Crime Laboratory.
- Acquiring property for projects, such as Trunk Road near Wasilla, 5th/6th Avenue Upgrade in Anchorage, East Dowling Extension in Anchorage, Juneau's Sunny Point Intersection, Ketchikan's South Tongass Highway, and Fairbanks' Illinois Street.
- Obtaining federal stimulus package funds.
- Refinancing international airport bonds.
- Developing agreements to allow federal Indian Reservation Road funds to be used on road projects in Alaska.
- Procuring construction services for state agencies and defending agencies' decisions on bid protests and construction claims.
- Drafting regulations governing utilities in highway rights-of-way, the rates charged for use of rural airport lands,

commercial vehicles and measurement standards.

- Developing and defending airport leasing and concession decisions. Reviewing status of state's title to Ted Stevens Anchorage International Airport and rural airports under development.
- Defending allegations that Ahtna, Inc. owns rights-of-way and materials sources claimed by the DOT&PF.
- Prosecuting the state's claim to beach access in Nikiski.
- Defending DOT&PF's right-of-way management decisions, including driveway permit and commercial sign removal decisions.
- Defending assertions DOT&PF and its contractors violated storm water discharge permit requirements, and developing an improved program to manage storm water on construction sites.
- Resolving Transportation Security Administration penalty actions.
- Developing and prosecuting State's claims against builder of defective portions of fast ferries and against builder of defective Fish and Game enforcement vessel.
- Assisting with the closure and redevelopment of the Galena Air Force Base.
- Assuming National Environmental Policy Act (NEPA) responsibilities from Federal Highways Administration in a pilot program authorized by Congress.

Statutory and Regulatory Authority

AS 44.23.020

Contact Information

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**Transportation Section
Component Financial Summary**

All dollars shown in thousands

	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,365.3	1,952.6	1,913.3
72000 Travel	21.7	20.4	20.4
73000 Services	269.5	401.7	401.7
74000 Commodities	39.5	33.2	33.2
75000 Capital Outlay	0.0	0.0	0.0
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,696.0	2,407.9	2,368.6
Funding Sources:			
1004 General Fund Receipts	1.5	38.9	38.9
1007 Inter-Agency Receipts	1,651.8	2,369.0	2,329.7
1061 Capital Improvement Project Receipts	42.7	0.0	0.0
Funding Totals	1,696.0	2,407.9	2,368.6

Estimated Revenue Collections

Description	Master Revenue Account	FY2009 Actuals	FY2010 Conference Committee	FY2010 Authorized	FY2010 Authorized	FY2011 Governor
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	1,651.8	0.0	0.0	2,369.0	2,329.7
Capital Improvement Project Receipts	51200	42.7	0.0	0.0	0.0	0.0
Restricted Total		1,694.5	0.0	0.0	2,369.0	2,329.7
Total Estimated Revenues		1,694.5	0.0	0.0	2,369.0	2,329.7

**Summary of Component Budget Changes
From FY2010 Management Plan to FY2011 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2010 Management Plan	38.9	0.0	2,369.0	2,407.9
Adjustments which will continue current level of service:				
-Transfer funds to Torts & Workers' Comp for increased RSA	0.0	0.0	-60.0	-60.0
-FY2011 Health Insurance Cost Increase Non-Covered Employees	0.0	0.0	20.7	20.7
FY2011 Governor	38.9	0.0	2,329.7	2,368.6

**Transportation Section
Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2010 Management Plan	FY2011 Governor		
Full-time	16	15	Annual Salaries	1,327,218
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	614,828
			<i>Less 1.48% Vacancy Factor</i>	(28,746)
			Lump Sum Premium Pay	0
Totals	16	15	Total Personal Services	1,913,300

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Attorney IV	1	1	2	0	4
Attorney V	3	1	0	0	4
Attorney VI	1	0	0	0	1
Law Office Assistant I	1	2	1	0	4
Law Office Assistant II	1	0	0	0	1
Paralegal II	1	0	0	0	1
Totals	8	4	3	0	15

Component Detail All Funds
Department of Law

Component: Transportation Section (2214)
RDU: Civil Division (35)

	FY2009 Actuals	FY2010 Conference Committee	FY2010 Authorized	FY2010 Management Plan	FY2011 Governor	FY2010 Management Plan vs FY2011 Governor	
71000 Personal Services	1,365.3	1,952.6	1,952.6	1,952.6	1,913.3	-39.3	-2.0%
72000 Travel	21.7	20.4	20.4	20.4	20.4	0.0	0.0%
73000 Services	269.5	401.7	401.7	401.7	401.7	0.0	0.0%
74000 Commodities	39.5	33.2	33.2	33.2	33.2	0.0	0.0%
75000 Capital Outlay	0.0	0.0	0.0	0.0	0.0	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	1,696.0	2,407.9	2,407.9	2,407.9	2,368.6	-39.3	-1.6%
Fund Sources:							
1004 Gen Fund	1.5	38.9	38.9	38.9	38.9	0.0	0.0%
1007 I/A Rcpts	1,651.8	2,369.0	2,369.0	2,369.0	2,329.7	-39.3	-1.7%
1061 CIP Rcpts	42.7	0.0	0.0	0.0	0.0	0.0	0.0%
General Funds	1.5	38.9	38.9	38.9	38.9	0.0	0.0%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other Funds	1,694.5	2,369.0	2,369.0	2,369.0	2,329.7	-39.3	-1.7%
Positions:							
Permanent Full Time	16	16	16	16	15	-1	-6.3%
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: Transportation Section (2214)
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	
***** Changes From FY2010 Conference Committee To FY2010 Authorized *****												
FY2010 Conference Committee	ConfCom	2,407.9	1,952.6	20.4	401.7	33.2	0.0	0.0	0.0	16	0	0
1004 Gen Fund		38.9										
1007 I/A Rcpts		2,369.0										
Subtotal		2,407.9	1,952.6	20.4	401.7	33.2	0.0	0.0	0.0	16	0	0
***** Changes From FY2010 Authorized To FY2010 Management Plan *****												
ADN 03-9-0313 Relocate PCN 03-0069 from Juneau to Anchorage	PosLoc	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Relocate PCN 03-0069, Attorney V, from Juneau to Anchorage for the required level of legal expertise needed within this component. PCN 03-0133, Attorney IV is being relocated from Anchorage to Juneau in exchange.												
Department of Law's Attorney positions are Partial Exempt (PX) and flexibly-ranged postions, Attorney I - VI, and are moved in accordance with attorney salary placement and allowing positions to be subfilled at lower levels. Positions are also moved to accomodate promotions.												
ADN 03-9-0313 Relocate PCN 03-0133 from Anchorage to Juneau	PosLoc	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Relocate PCN 03-0133 Attorney IV from Anchorage to Juneau for the required level of legal expertise needed within this component. PCN 03-0069, Attorney V is being relocated from Juneau to Anchorage in exchange.												
Department of Law's Attorney positions are Partial Exempt (PX) and flexibly-ranged postions, Attorney I - VI, and are moved in accordance with attorney salary placement and allowing positions to be subfilled at lower levels. Positions are also moved to accomodate promotions.												
Subtotal		2,407.9	1,952.6	20.4	401.7	33.2	0.0	0.0	0.0	16	0	0
***** Changes From FY2010 Management Plan To FY2011 Governor *****												
Transfer PCN 03-0040 to Child Protection	Trout	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
To transfer PCN 03-0040 Attorney IV, without funding, from Transportation Section to Child Protection Section for the required level of legal expertise needed within this component.												
Department of Law's Attorney positions are Partially Exempt (PX) and flexibly-ranged postions, Attorney I - VI, and are moved in accordance with attorney salary placement and allowing positions to be subfilled at lower levels. Positions are also moved to accommodate promotions.												
Transfer funds to Torts & Workers' Comp for increased RSA												

Change Record Detail - Multiple Scenarios With Descriptions
Department of Law

Component: Transportation Section (2214)

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	
1007 I/A Rcpts	Trout	-60.0	-60.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Transfer I/A Receipt Authority from Transportation Section to Torts & Workers' Compensation for increased Reimbursable Services Agreement services provided to DOA, Risk Management.												
FY2011 Health Insurance Cost Increase Non-Covered Employees												
1007 I/A Rcpts	SalAdj	20.7	20.7	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Costs associated with Health Insurance Increases.: \$20.7												
Totals		2,368.6	1,913.3	20.4	401.7	33.2	0.0	0.0	0.0	15	0	0

Personal Services Expenditure Detail
Department of Law

Scenario: FY2011 Governor (7749)
Component: Transportation Section (2214)
RDU: Civil Division (35)

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range / Step	Comp Month	Split / Count	Annual Salaries	COLA	Premium Pay	Annual Benefits	Total Costs	GF Amount
03-0042	Attorney V	FT	A	XE	Anchorage	AA	25J / K	12.0		108,984	0	0	48,767	157,751	0
03-0050	Law Office Assistant II	FT	A	SS	Anchorage	6A	13O	12.0		55,860	0	0	29,412	85,272	0
03-0065	Law Office Assistant I	FT	A	GP	Anchorage	2A	11M / N	12.0		46,651	0	0	26,737	73,388	0
03-0069	Attorney V	FT	A	XE	Anchorage	AA	25N / O	12.0		124,335	0	0	52,875	177,210	0
03-0084	Paralegal II	FT	A	GP	Anchorage	2A	16J / K	12.0		60,396	0	0	31,257	91,653	0
03-0090	Attorney IV	FT	A	XE	Fairbanks	EE	24N / O	12.0		138,228	0	0	56,593	194,821	0
03-0133	Attorney IV	FT	A	XE	Juneau	AA	24E / F	12.0		94,892	0	0	44,266	139,158	0
03-0167	Law Office Assistant I	FT	A	GP	Fairbanks	2B	11C / D	12.0		36,142	0	0	23,280	59,422	0
03-0169	Attorney VI	FT	A	XE	Anchorage	AA	26N / O	12.0		128,613	0	0	54,020	182,633	0
03-0204	Law Office Assistant I	FT	A	GP	Fairbanks	2B	11A	12.0		34,092	0	0	22,606	56,698	0
03-0232	Attorney IV	FT	A	XE	Juneau	AA	24J / K	12.0		103,272	0	0	47,022	150,294	0
03-0262	Attorney IV	FT	A	XE	Anchorage	AA	24J / K	12.0		103,272	0	0	47,022	150,294	0
03-0312	Attorney V	FT	A	XE	Anchorage	AA	25M / N	12.0		120,591	0	0	51,873	172,464	0
03-0322	Law Office Assistant I	FT	A	GP	Juneau	2A	11B / C	12.0		34,322	0	0	22,682	57,004	0
03-1038	Attorney V	FT	A	XE	Fairbanks	EE	25L / M	12.0		137,568	0	0	56,416	193,984	0

Total Positions	New	Deleted	Total Salary Costs:	1,327,218
Full Time Positions:	15	0	Total COLA:	0
Part Time Positions:	0	0	Total Premium Pay:	0
Non Permanent Positions:	0	0	Total Benefits:	614,828
Positions in Component:	15	0	Total Pre-Vacancy:	1,942,046
			Minus Vacancy Adjustment of	(28,746)
			1.48%:	
			Total Post-Vacancy:	1,913,300
Total Component Months:	180.0		Plus Lump Sum Premium Pay:	0
			Personal Services Line 100:	1,913,300

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1007 Inter-Agency Receipts	1,942,046	1,913,300	100.00%
Total PCN Funding:	1,942,046	1,913,300	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: Transportation Section (2214)
RDU: Civil Division (35)

Line Number	Line Name		FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
72000	Travel		21.7	20.4	20.4
Expenditure Account	Servicing Agency	Explanation	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
72000 Travel Detail Totals			21.7	20.4	20.4
72110	Employee Travel (Instate)	Attorney travel to provide counsel for the department and agencies of DOT&PF, including hearings, meetings and legal counsel in court cases. Investigations and taking depositions for court actions and administrative proceedings.	20.1	17.0	17.0
72120	Nonemployee Travel (Instate Travel)	Witness travel.	0.0	3.4	3.4
72410	Employee Travel (Out of state)	Attorney travel to represent the state in Alaska and Federal Courts.	1.6	0.0	0.0

Line Item Detail
Department of Law
Services

Component: Transportation Section (2214)
RDU: Civil Division (35)

Line Number	Line Name		FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
73000	Services		269.5	401.7	401.7
Expenditure Account	Servicing Agency	Explanation	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
73000 Services Detail Totals			269.5	401.7	401.7
73025	Education Services	Conferences, training, memberships	1.4	1.2	1.2
73075	Legal & Judicial Svc	Depositions, research costs, expert witnesses and consultants.	115.7	225.5	177.9
73156	Telecommunication	Local Service, long distance toll charges and cellular phones paid to third party telephone utilities.	17.4	17.4	17.4
73225	Delivery Services	Freight and messenger services. Movement of materials, exhibits, legal documents and courier services.	0.6	5.0	5.0
73650	Struc/Infstruct/Land	Rentals/Leases - records and evidence storage.	4.0	8.0	8.0
73675	Equipment/Machinery	Repairs/Maintenance of copiers and office equipment.	4.0	8.4	8.4
73750	Other Services (Non IA Svcs)	Printing forms, briefs and legal notices.	10.7	14.0	14.0
73805	IT-Non-Telecommnctns	Administrative Services RSA Law, Administration and Information Services & Procurement support.	21.3	19.2	19.8
73805	IT-Non-Telecommnctns	Enterprise Technology Services RSA Administration, ETS - Computer Services EPR	4.7	10.0	11.2
73806	IT-Telecommunication	Enterprise Technology Services RSA Administration, ETS -Telecommunication EPR.	21.4	18.2	19.0
73809	Mail	Central Mail RSA Administration, Central Mailroom	1.1	1.0	1.0
73811	Building Leases	Leases RSA Administration, GS&S - Leased Office Space - AG's Offices.	65.6	72.4	111.1
73812	Legal	Administrative Services RSA Law, Administrative Services - Timekeeping Administration	0.0	0.0	6.3
73814	Insurance	Risk Management RSA Administration, Risk Management	0.4	0.3	0.3
73815	Financial	Finance RSA Administration, Finance Chargeback (AKSAS /	1.0	0.9	0.9

Line Item Detail
Department of Law
Services

Component: Transportation Section (2214)

RDU: Civil Division (35)

Expenditure Account		Servicing Agency	Explanation	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
			73000 Services Detail Totals	269.5	401.7	401.7
73816	ADA Compliance	Labor - Americans With Disabilities	AKPAY) RSA Labor, Americans With Disabilities Act.	0.2	0.2	0.2

Line Item Detail
Department of Law
Commodities

Component: Transportation Section (2214)
RDU: Civil Division (35)

Line Number	Line Name		FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
74000	Commodities		39.5	33.2	33.2
Expenditure Account	Servicing Agency	Explanation	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
		74000 Commodities Detail Totals	39.5	33.2	33.2
74200	Business	Alaska Statutes, Alaska Code, annual supplements and law publications.	39.5	33.2	33.2

Line Item Detail
Department of Law
Capital Outlay

Component: Transportation Section (2214)
RDU: Civil Division (35)

Line Number	Line Name		FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
75000	Capital Outlay		0.0	0.0	0.0
Expenditure Account	Servicing Agency	Explanation	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
75000 Capital Outlay Detail Totals			0.0	0.0	0.0
75830	Info Technology	Computer equipment, printers and modems.	0.0	0.0	0.0

Restricted Revenue Detail
Department of Law

Component: Transportation Section (2214)
RDU: Civil Division (35)

Master Account	Revenue Description	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
51015	Interagency Receipts	1,651.8	2,369.0	2,329.7

Detail Information

Revenue Amount	Revenue Description	Component	Collocation Code	AKSAS Fund	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
51015	Interagency Receipts Unprogrammed I/A Receipt Authority			11100	0.0	292.3	253.0
59020	Administration Unbudgeted RSA, Administration, North Pacific Erectors Claim	Risk Management	03215620	11100	78.7	0.0	0.0
59250	Dotpf Op, Tpb,& Othr Funding for legal services provided for Statewide Projects and Programs.	Department-wide	03215522	11100	1,183.5	1,626.7	1,626.7
59250	Dotpf Op, Tpb,& Othr Funding for legal services provided for the International Airports.	International Airport Systems	03215538	11100	257.2	300.0	300.0
59250	Dotpf Op, Tpb,& Othr Funding for legal services provided for the Alaska Marine Highways System.	Marine Vessel Operations	03215546	11100	132.4	150.0	150.0

Restricted Revenue Detail
Department of Law

Component: Transportation Section (2214)
RDU: Civil Division (35)

Master Account	Revenue Description	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
51200	Capital Improvement Project Receipts	42.7	0.0	0.0

Detail Information

Revenue Amount	Revenue Description	Component	Collocation Code	AKSAS Fund	FY2009 Actuals	FY2010 Management Plan	FY2011 Governor
59240	CIP Rcpts from Transp & Public Fac Unbudgeted Capital RSA w/ Fish & Game, F&G Anch Hatchery.		03215617	11100	3.6	0.0	0.0
59240	CIP Rcpts from Transp & Public Fac Unbudgeted Capital RSA w/ DOT&PF - KABATA, Knik Arm Bridge and Toll Authority.		03215635	11100	24.4	0.0	0.0
59240	CIP Rcpts from Transp & Public Fac Unbudgeted Capital RSA w/ Public Safety - P/V Enforcer.		03215659	11100	14.7	0.0	0.0

Inter-Agency Services
Department of Law

Component: Transportation Section (2214)
RDU: Civil Division (35)

Expenditure Account	Service Description	Service Type	Servicing Agency	FY2010			
				FY2009 Actuals	Management Plan	FY2011 Governor	
73805	IT-Non-Telecommnctns	RSA Law, Administration and Information Services & Procurement support.	Intra-dept	Administrative Services	21.3	19.2	19.8
73805	IT-Non-Telecommnctns	RSA Administration, ETS - Computer Services EPR	Inter-dept	Enterprise Technology Services	4.7	10.0	11.2
				73805 IT-Non-Telecommnctns subtotal:	26.0	29.2	31.0
73806	IT-Telecommunication	RSA Administration, ETS -Telecommunication EPR.	Inter-dept	Enterprise Technology Services	21.4	18.2	19.0
				73806 IT-Telecommunication subtotal:	21.4	18.2	19.0
73809	Mail	RSA Administration, Central Mailroom	Inter-dept	Central Mail	1.1	1.0	1.0
				73809 Mail subtotal:	1.1	1.0	1.0
73811	Building Leases	RSA Administration, GS&S - Leased Office Space - AG's Offices.	Inter-dept	Leases	65.6	72.4	111.1
				73811 Building Leases subtotal:	65.6	72.4	111.1
73812	Legal	RSA Law, Administrative Services - Timekeeping Administration	Intra-dept	Administrative Services	0.0	0.0	6.3
				73812 Legal subtotal:	0.0	0.0	6.3
73814	Insurance	RSA Administration, Risk Management	Inter-dept	Risk Management	0.4	0.3	0.3
				73814 Insurance subtotal:	0.4	0.3	0.3
73815	Financial	RSA Administration, Finance Chargeback (AKSAS / AKPAY)	Inter-dept	Finance	1.0	0.9	0.9
				73815 Financial subtotal:	1.0	0.9	0.9
73816	ADA Compliance	RSA Labor, Americans With Disabilities Act.	Inter-dept	Labor - Americans With Disabilities	0.2	0.2	0.2
				73816 ADA Compliance subtotal:	0.2	0.2	0.2
				Transportation Section total:	115.7	122.2	169.8
				Grand Total:	115.7	122.2	169.8